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HANSARD'S

PARLIAMENTARY

DEBATES:

FORMING A CONTINUATION OF
"THE PARLIAMENTARY HISTORY OF ENGLAND,
FROM THE EARLIEST PERIOD TO THE
YEAR 1803."

Third Series;

COMMENCING WITH THE ACCESSION OF
WILLIAM IV.

VOL. XXI.

COMPRISING THE PERIOD FROM
THE FOURTH DAY OF FEBRUARY
TO
THE TENTH DAY OF MARCH, 1834.

First Volume of the Session.

LONDON:

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1834.

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HANSARD'S
Parliamentary Debates

During the SECOND SESSION *of the* ELEVENTH PARLIAMENT
of the United Kingdom of GREAT BRITAIN *and*
IRELAND, *appointed to meet at Westminster,*
4th February, 1834,
in the Fourth Year of the Reign of His Majesty
WILLIAM THE FOURTH.

First Volume of the Session.

HOUSE OF LORDS,
Tuesday, February 4th, 1834.

OPENING OF PARLIAMENT—KING'S SPEECH.] His Majesty went this day to the House of Peers in the usual state, and opened the Parliament by the following Speech :—

"*My Lords and Gentlemen,*

"In calling you again together for the discharge of your high duties, I rely with entire confidence on your zeal and diligence, on your sincere devotion to the public interests, and on your firmness in supporting, on its ancient foundations, and in the just distribution of its powers, the established Constitution of the State.

"These qualities eminently distinguished your labours during the last session, in which more numerous and more important questions were brought under the consideration of Parliament, than during any former period of similar duration.

"Of the measures which have in consequence received the sanction of the Legislature, one of the most difficult and important was the Bill for the Abolition of Slavery. The manner in which that beneficent measure has been received throughout the British Colonies, and the progress already made in carrying it into execution by the Legislature of the Island of Jamaica, afford just grounds for anticipating the happiest results.

"Many other important subjects will still call for your most attentive consideration. The reports which I will order to be laid before you from the Commissions appointed to inquire into the State of the Municipal Corporations, into the administration and effect of the Poor Laws, and into Ecclesiastical Revenues and Patronage in England and Wales, cannot fail to afford you much useful information, by which you will be enabled to judge of the nature and extent of any existing defects and abuses, and in what manner the necessary corrections may, in due season, be safely and beneficially applied.

"It has been the constant aim of my policy to secure to my people the uninterrupted enjoyment of the blessings of peace. In this I have been much assisted by the good understanding which has been so happily established between my Government and that of France; and the assurances which I receive of the friendly disposition of the other Powers of the Continent give me confidence in the continued success of my endeavours.

"I have, however, to regret that a final settlement between Holland and Belgium has not yet been effected, and that the civil war in Portugal still continues. You may be assured that I shall be careful and anxious to avail myself of any opportunity which may afford me the means of assisting the establishment of a state of security and peace in countries the interests of which are so intimately connected with those of my dominions.

"Upon the death of the late King of Spain, I did not hesitate to recognize the succession of his Infant Daughter; and I shall watch with the greatest solicitude the progress of events which may affect a Government the peaceable settlement of which is of the first importance to this country, as well as to the general tranquillity of Europe.

"The peace of Turkey, since the settlement that was made with Mehemet Ali, has not been interrupted; and will not, I trust, be threatened with any new danger. It will be my object to prevent any change in the relations of that empire with other Powers, which might affect its future stability and independence.

"*Gentlemen of the House of Commons,*

"I have directed the Estimates for the ensuing year to be laid before you.

"They have been framed with a view to the strictest economy and to such reductions as may not be injurious to the public service.

"I am confident that I may rely on your enlightened patriotism, and on the cheerful acquiescence of my people for supplying the means which may be required to uphold the honour of my Crown and the interest of my dominions.

"The accounts which will be laid before you of the state of the Revenue, as compared with the Expenditure, will be found most satisfactory.

"*My Lords and Gentlemen,*

"I have to lament the continuance of distress amongst the proprietors and occupiers of land; though, in other respects, the state of the country, both as regards its internal tranquillity and its commerce and manufactures, affords the most encouraging prospects of progressive improvement.

"The Acts passed in the last Session for carrying into effect various salutary and remedial measures in Ireland are now in operation, and further improvements may be expected to result from the commissions which have been issued for other important objects of inquiry.

"I recommend to you the early consideration of such a final adjustment of the tithes in that part of the United Kingdom as may extinguish all just causes of complaint, without injury to the rights and property of any class of my subjects, or to any institution in Church or State.

"The public tranquillity has been generally preserved, and the state of all the provinces of Ireland presents, upon the whole, a much more favourable appearance than at any period during the last year.

"But I have seen with feelings of deep regret and just indignation, the continuance of attempts to excite the people of that country to demand a Repeal of the Legislative Union. This bond of our national strength and safety I have already declared my fixed and unalterable resolution, under the blessing of Divine Providence, to maintain inviolate by all the means in my power. In support of this determination, I cannot doubt the zealous and effectual co-operation of my Parliament and my people.

"To the practices which have been used to produce disaffection to the State, and mutual distrust and animosity between the people of the two countries, is chiefly to be attributed the spirit of insubordination, which, though for the present in a great degree controlled by the power of the law, has been but too perceptible in many instances.

"To none more than to the deluded instruments of the agitation thus perniciously excited, is the continuance of such a spirit productive of the most ruinous consequences; and the united and vigorous exertions of the loyal and well-affected, in aid of the Government, are imperiously required to put an end to a system of excitement and violence, which, while it continues, is destructive of the peace of society, and, if successful, must inevitably prove fatal to the power and safety of the United Kingdom."

Address in answer to the Speech.] The Duke of *Sutherland*, in rising to move an Address in answer to his Majesty's Speech, said, the indulgence which their Lordships never failed to extend to individuals placed in his situation was never more required than it was on the present occasion. He had been at all times unwilling to urge his opinions upon the attention of the House, as, further than concerned his own conduct, he really did not attach consequence to them, and certainly not the undue consequence of conceiving them interesting to their Lordships. But, under some circumstances, he thought it would be tantamount to shrinking from the performance of a duty if he omitted to avail himself of an opportunity to declare his sentiments. Actuated by such feelings he did not hesitate to come forward, relying upon the kind indulgence of the House, to submit an Address for their adoption in answer to the Speech from the Throne. The theme was no doubt a wide one, and the subjects upon which it touched were various. Much might be made of it in able hands, but he would, however, content himself with following in the order in which they were presented, but very briefly, the topics of the Speech. It could not, he apprehended, but be gratifying in the first instance to assure his Majesty, that their zeal, devotion, and firmness in support of the Constitution of the State would be such as to justify the expectations of the country, and merit the confidence entertained by his Majesty in their loyalty and patriotism. In turning to the history of the past year, they could not contemplate the measure relative to slavery now and for ever abolished, but as a subject of the purest gratulation, and as most honourable to this country, the generosity of which had been made conspicuous in the mode of accomplishing it, and equally honourable to those who, in spite of numerous difficulties, had proposed a measure which had afforded immediate consolation, and every prospect of a successful termination. It appeared even to have been of advantage to those whose interests were chiefly connected with it. The speech of the noble Earl, the governor of Jamaica, whose conduct was as honourable to himself as it was advantageous to his country, bore ample testimony to the beneficial consequences of the measure, and to the kindly spirit in which that measure had been received by one colonial assembly. Amongst the subjects to which, at a future day, their attentive consideration would be called, none, in his mind, would be found more important or more difficult than the Poor-laws. The evils which had arisen from the present system of their administration were too striking and too notorious not to demand strict inquiry. The effects of those laws had been to produce demoralization and degradation amongst the people, and the system ought, therefore, to be considered with the calmest and soundest wisdom. Certainly all crude and hasty measures must be deprecated, but the attention of that House and of the country ought to be directed to those laws as a primary object, demanding alteration and improvement. Another object of their care must be the remedying of the abuses in Municipal and Ecclesiastical Corporations, and much valuable information upon both these subjects would be laid before Parliament by his Majesty's Government. The hope expressed by his Majesty for the preservation and continuance of peace must be generally felt by the whole country, which could well appreciate the blessings of peace. It could not fail to rejoice all liberal minds to find that as civilization advanced mankind grew wiser, and that with the spread of knowledge the love of peace became more extended and stronger. The state of the world had been such as in former periods would have inevitably led to a general war. That great calamity had been escaped. Notwithstanding the temptations presented by partial warfare, the general peace of Europe had been preserved, and would long, he hoped, be maintained. For the maintenance of peace it could not be doubted that the continuance of friendly relations between this country and France were most material; and it was still more important that these relations should be based upon a permanent principle of amity worthy of enlightened nations; and such, he believed, subsisted at this moment between France and England. Interests common to each could alone form the basis of enduring friendship. The present system of the French Government was one which had moderation for its principle, and it aimed at preserving order, and at developing her abundant means of national prosperity. When they saw industry and the arts encouraged amongst a warlike people, they must rejoice at such manifest proofs of a wise and enlightened Government, which applied itself to the furtherance of those high interests which were of so much importance to the present, and would be of equal importance to all succeeding generations. If elsewhere, too, we saw the progress of improvement—attempts made to extend education to all—the arts of peace cultivated,—every one must rejoice at the prospect thus opened; and we should be warranted in indulging in the hope that no narrow views of temporary advantages should be allowed, as had too frequently been the case in former times, to obscure the brightness of a prospect highly interesting to all. It was full time that the calamitous disputes which reigned in Portugal—disputes which the nearest ties of blood only seemed to make more desperate — and those which more recently had sprung up in Spain, should be brought to an end. If there were ever any differences of opinion as to the succession of the Crown of Portugal, there could be none as to the perfidy which had signalized the assumption of it. The honourable feelings which had throughout distinguished the conduct of the British Government had not been confined to them; there was one general feeling of indignation at the conduct of the person who had so perfidiously set at defiance all promises. Still it was our interest that the dissensions in Portugal should come to an end, and it was also most desirable for us that the peaceful succession to the throne of Spain should be established. In the wish expressed by his Majesty for the final adjustment of the differences between Holland and Belgium, he was sure that all who heard him must most cordially agree. In the rest of Europe, continued attention to the course of events, and our assistance in the regulation of affairs, where it could properly be offered, might give reasonable hopes of the maintenance of general tranquillity. At home it was satisfactory to know that the general aspect of the country was prosperous. The difficulties which the necessarily changing condition of things must impose sometimes more on one class than another, would be patiently borne in a state of society in which the great body of the people were distinguished by their general good sense. With regard to Ireland, he was sorry to observe, that there were still evil spirits abusing our patience, and spreading discord and dissension abroad, extending their baneful influence over the evil passions of men. But notwithstanding the counteracting effects of these things upon the beneficial measures adopted with regard to Ireland, it was gratifying to know, that that country was indisputably improving in trade, arts, and commerce. His Majesty's paternal love for all his subjects was never more evinced than in the declaration of his firm resolution to maintain indissoluble the bond of the Legislative Union of the two kingdoms; the most effectual security against their separation, which would not only be highly injurious to Ireland, but to the kingdom at large. The country at large would afford to his Majesty, in enforcing this resolution, he had no doubt, fresh force to his authority by the zealous co-operation of all his well-affected subjects, who would readily supply all the means that might be required for the accomplishment of so desirable an object. He was not aware of any other topic to which it was necessary to call their Lordships' attention. His Lordship concluded by moving an Address, which was, as usual, an echo of the Speech.

Lord *Howard of Effingham*, in rising to second the Address, had little to add to what had fallen from the noble Duke. On the various topics on which the noble Mover had touched he had shown so just a judgment and so sound a view of them, that the best thing he could do was to say, that he fully concurred with the noble Duke. In regard to the leading measure of last Session, the Abolition of

Colonial Slavery, it was one in which the country had taken the greatest possible interest, and the demand for which it was impossible any longer to withstand; and that measure having been passed, it was highly gratifying to find that it had been favourably accepted in the colonies. On all the important measures that were now to be brought before them, full means of information would be afforded, in order to enable them to form a correct judgment of them. In regard to the assurances of peace he was happy to find that they were such as to lead to the hope that there was no probability of its being disturbed. With respect to Ireland, he concurred in everything which had been said by the noble Duke as to the disadvantages produced by the conduct of those who agitated that country with the cry of the Repeal of the Union, as that repeal, if ever it were yielded, would lead to the disseverance of the empire; but it was to be hoped, that if anything of that kind was attempted, it would meet with no support in Parliament. He was sure, that any and all of the important measures to be brought before Parliament would be received and discussed by them with calmness and moderation. There might be some differences of opinion upon these measures; but the House, he was sure, would look to the situation of the country, and judge of those measures, with reference to the diffusion of knowledge, the general spread of reading, and their consequent effect upon the people at large. There was no topic on which he could say any thing new in addition to the observations of the noble Duke, and he should, therefore, conclude by saying, that he fully concurred with the noble Duke.

The Duke of *Wellington* did not rise to oppose the Address, or to move any Amendment; but he could not listen to such topics as were contained in the Speech which they had that day heard from the Throne, without addressing a few words to their Lordships on the subjects which it embraced. The Speech appeared to him to contain as little in reality, as any Speech that was ever addressed to their Lordships from the Throne. It was impossible for any man to judge from that Speech, whether it were the intention of his Majesty's Government to bring forward, as a Government, any measure on any one of the topics contained in that Speech. The noble Lord who spoke last, stated, that on some of those topics, measures would be introduced by Ministers. The noble Lord might have learned that by a communication from his Majesty's Government, but from the Speech itself, it did not appear that it was the intention of Ministers to introduce any measure whatever on any one of those topics. With respect to the first topic, that which related to the West-India colonies, it was stated by the noble Duke opposite, and by the noble Lord who seconded the Address, that the measure adopted on that subject had completely succeeded. There was no man who rejoiced more sincerely than he did at the success of that measure. He had certainly opposed that measure from principle; he thought that he saw in it the seeds of great injury to the interests of this country; but he was happy to find that he had been misinformed upon the subject. They were told, that the measure had completely succeeded; but he could not understand, from what he had heard of what was passing in the West Indies, that it had. It was true that the Legislature of Jamaica had passed a Bill approving of the measure agreed to by the Legislature of this country; but he had heard of no measures agreed to by them to carry it into execution. The negroes had, from a state of slavery, been placed in a state of comparative freedom. A state of slavery no longer existed. Now, he would ask, had anything been done to meet this new state of society? He would affirm, that nothing of the kind had been done. The Legislature of Jamaica said, they adopted the law enacted by this country; but they had not framed any new laws to provide for the extraordinary and new situation. They had thus thrown the whole responsibility of the results on his Majesty's Ministers. He did not think that a very satisfactory state of affairs in Jamaica. If the Legislature of that colony had adopted this measure, without doing anything to meet the new circumstances which it created, that was a state of affairs on which neither his Majesty nor that House had any need to congratulate themselves. With respect to that part of the Speech which related to peace, he at once admitted that it was an inestimable advantage to this country to remain at peace, and that the Government ought to do every thing, and to use every means in its power, to preserve peace amongst foreign nations; and not only to preserve peace between nations, but internal peace in all the neighbouring nations. On that point, however, his Majesty's Ministers had been nearly silent. Holland and Belgium stood in the same situation now as they did two years ago; and if Ministers acted on the same plan which they had adopted for the last two years and a-half, they would ten years hence find those countries as far off from settling their disputes as they were at present. Then, with respect to Spain and Portugal; he had frequently stated to that House his reasons for thinking the civil war in Portugal was fomented and kept up by this country. He was still of the same opinion. A transaction occurred in that House last Session which proved the fact to him. An Address was voted to his Majesty, entreating his Majesty to turn his attention to the civil conflict then raging in Portugal, and requesting him to command his subjects to observe a strict neutrality. His Majesty did not, it seemed, approve of that Address, and he returned an answer by the mouth of his Ministers, which it was not necessary for him further to allude to. But, what actually took place? Why, the very individual on whose acts that Address was founded, was punished within a week, on account of those very acts. How, then, he would ask, had the neutrality of this country been preserved? The war in Portugal was notoriously carried on by the subjects of this country, and by the capital of this country. Yet, although this was a well-known fact, the king of Spain was told: "In this contest you must be neutral; and if you are not, we will interfere and support Don Pedro." Was that neutrality? Under the protection of our fleets in the Douro and the Tagus this boasted neutrality had been shamefully violated. The Ministers ought, at a very early period, to have acknowledged the government then existing in Portugal. It was a government *de facto*, and as such they ought to have acknowledged it; above all, they ought to have prevented the civil contest by which that country was torn. The monarch then reigning in Portugal performed his part of the treaties existing with this country, and we ought to have performed ours; but we did not do that. In Spain, Ferdinand thought proper to make an alteration in the succession to the Crown, and Don Carlos was expelled. Don Carlos was required to proceed to Italy. He would not go to Italy, but he went to Portugal to seek assistance there. He therefore would contend that the civil war in Spain grew out of the civil war in Portugal, which was fomented in this country. He would declare his conviction, if it were the last word he ever spoke, that if we had recognized Don Miguel as sovereign of Portugal, and only done him common justice, the civil war would never have broken out there. At present they could see no probable termination to these contests, nor could they divine what would be the issue of them. He had formerly ventured to advise his Majesty's Government to issue a Proclamation to recall his Majesty's subjects from the service of both parties as a means of preventing the evils which now existed, but his advice was disregarded. Again, had a different course of policy been observed, it would have prevented the occurrence of that state of things which now unfortunately existed at Constantinople. On that point there was a paragraph in the present Speech from the Throne, and an exactly similar paragraph appeared in a Speech formerly delivered by his Majesty. Now, on this subject, he must say (and he was not speaking by guess) that a most unfortunate line of policy had been adopted. He happened to know, that on a former occasion, when Mehemet Ali, Pacha of Egypt, was desired by this Government not to carry into execution certain measures which he wished to effect, and when he was positively told that he must not proceed, he at once desisted. The fact was, that if this country wished to prevent him from carrying on war in any part of the Levant, it had only, to employ a fleet to force him to act according to its direction. Those directions would be as readily obeyed by him now as they were formerly. If, in the Session of 1832, or 1833, they had plainly told Mehemet Ali that he should not carry on this contest in Syria and Asia Minor, they would have put an end to this war without the risk of allowing the emperor of Russia to send a fleet and an army to Constantinople. But, instead of doing that, instead of taking a commanding position, our fleets were in the Douro and the Tagus, protecting civil war, and in the Channel, blockading the fleets of our Dutch allies. The consequence of these proceedings was, that our three allies, Holland, Portugal, and Spain, and he might add a fourth, our ally Turkey, were placed under the protection of the other Powers. They were, if he might use the word, swamped in Europe at the present moment. He now came to the consideration of the latter points of the speech. He would say, as to any measures which it might be deemed proper to introduce with relation to these points, he should say nothing till they were launched in Parliament. He might however be permitted to express a hope that some measure or measures would be adopted with respect to the Poor-laws. For the last three years they had been, more or less, under consideration, and very much the subject of discussion and observation, both in and out of Parliament. Ministers might therefore at least have informed them whether they meant to bring forward any measure upon this important subject; and he thought their Lordships might very properly complain that the Ministers had not announced any measures to Parliament. A proposition was submitted to their Lordships last Session on the subject of Municipal Corporations, and placed on the records of their Lordships' House. A Commission had been issued, and much discussion had arisen as to the legality of the Commission. He saw various learned opinions on the subject, but he was not competent to decide a question of the kind. It was for their Lordships to consider whether it would be advisable to proceed further with a Commission upon the legality of which some doubts were entertained. There were great doubts whether it was competent to the Commissioners to administer an oath. It was a subject for serious consideration whether it would be desirable to establish over the whole country one uniform system of municipal constitutions. Hitherto there was a great variety as to the mode of voting and the qualification in boroughs. This variety was analogous to the other institutions of the country; and he doubted much whether it would be desirable to establish one uniform system, founded exclusively upon a 10*l.* constituency. It did not appear from the Speech whether or not it were the intention of Ministers to bring forward any measure founded on this Commission. With respect to the subject of tithes, it was a question on the importance of which it was unnecessary for him to dilate. He did not intend to enter into the subject, but he hoped that Ministers would give it their most serious and earnest consideration. Their Lordships had probably all read the speeches made by the friends and supporters of his Majesty's Government on this subject at various meetings throughout the country during the recess. He must say, that he considered the sentiments expressed in some of those speeches very deserving of their Lordships' serious attention, and such as were calculated to excite in the highest degree the jealousy and suspicion of that House. He would take the liberty to say that the conduct of his Majesty's Government respecting the Church of Ireland in a former Session of Parliament was well calculated to excite the suspicion of the House as to what the Government should now do on this subject, and he felt himself fully warranted in saying, that never had there been a question brought before their Lordships in which it was so necessary for them to be cautious in regard to the principles and proceedings of his Majesty's Government as upon this question of Church property. It was not his intention to go into that question at large on this occasion; indeed, at present there were not materials in existence to enable anybody to do so. He could not however avoid saying, in justice to himself, that he had supported two Bills brought in by a most reverend Prelate in a former Session of Parliament—the one to regulate pluralities, and the other for the composition of tithes. Both of those Bills received the support of his Majesty's Government in that House—both were highly desirable measures for the purpose of conciliating the public mind with regard to the Church on those particular questions; and yet, notwithstanding the omnipotent sway which the present Government possessed and exercised over the other House of Parliament, it was not, somehow or other, able to get those Bills passed through the House of Commons. He would entreat their Lordships, therefore, to look with jealousy upon all the proceedings of his Majesty's Government on this subject, and to take care, if they could, that nothing should be done to the injury of that Church. There was another subject with regard to which the intentions of his Majesty's Government had not been stated in the Speech from the Throne, and on which the Ministers had given their Lordships no information, —he meant the Irish Coercion Bill. There could be no doubt that the greatest benefit had been derived by Ireland from that necessary and salutary measure. It had been scarcely carried into execution in a single instance, but the existence of it had effected the greatest benefit for Ireland; and he therefore thought, that when his Majesty's Government came down to Parliament, and stated as they did in a paragraph of the Speech from the Throne, that "the public tranquillity had been generally preserved, and that the state of all the provinces of Ireland presented, upon the whole, a much more favourable appearance than at any period during the last year," they should have at the same time informed their Lordships whether it was their intention to propose the renewal of that Bill, to which such desirable consequences were mainly attributable. Their Lordships were aware that this Bill would, if not renewed, expire at the end of the present Session of Parliament. At present their Lordships knew nothing of the intentions of his Majesty's Government on that point; they only knew that Ministers complained of the agitation which had been excited in Ireland concerning the Repeal of the Union. He would repeat that Ministers should have told them whether it was their intention to propose the renewal of that measure to which was owing the restoration of something like peace and tranquillity in that part of the United Kingdom. He wished to address a few observations to their Lordships on the question of Irish tithes. With regard to any measure which it might be the intention of his Majesty's Government to bring forward on that subject, he begged in the first instance to say, that, as far as he could learn, the clergy of the Church of Ireland were at present precisely in the same miserable situation in which they had been for the last seventeen or eighteen months. If that, therefore, was the case, notwithstanding the measures which had been brought forward and passed on a former occasion in reference to the clergy of Ireland, he must say if that race of men were to be preserved at all, their Lordships should lose no time in passing whatever measures were required to complete the arrangement with respect to tithes in Ireland. He believed, as he had already stated, that the clergy of the Church of Ireland were at present in the most miserable and destitute condition. If, as he learned upon the best authority, they were reduced to the lowest ebb of distress, so much so, that many of them had been obliged to give up the insurances which they had formerly effected on their lives for the benefit of their families, and in several instances, had now lost everything,—if, in consequence of such distress, many of them had been under the necessity of taking the boon which was held out to them under the most unfavourable circumstances by the Government bill of last Session,—if, he repeated, such were the case, and he believed there was no doubt that he had correctly stated the facts, their Lordships, he was sure, would agree with him in thinking that no time should be lost in bringing forward whatever measures were required to complete the arrangement with respect to the Church of Ireland, and to rescue that most deserving race of men, the clergy of that Church, from such an unparalleled state of suffering and distress. He had felt it his duty on this occasion to offer these observations to their Lordships, though, as he had already stated, it was not his intention to give any opposition to the Address which had been just proposed for their Lordships' adoption.

Earl *Grey:* The noble Duke who had just sat down, having set out with stating that there was nothing in the present Address to which he was disposed to offer any opposition, he had entertained the hope that this night, at least, would have been allowed to pass without such an attack as the noble Duke had thought it necessary to make upon his Majesty's Government. The noble Duke complained that the Speech from the Throne on this occasion said nothing; but their Lordships were aware that such a complaint was equally applicable to every speech which had been made from the Throne for a long series of years, not even excepting those in the concoction of which the noble Duke was himself concerned. It was, in fact, a complaint which in a great degree arose out of the nature of the thing itself, because, as it was always understood that a short address only was to be allowed in the shape of the King's Speech, their Lordships must at once perceive the utter impossibility of noticing in such a document the great variety of subjects that must come under discussion in that and the other House of Parliament. He was sure, however, that their Lordships would look at the King's Speech with less prejudiced eyes than those with which the noble Duke who had attacked it had viewed it, and that in doing so they would see that there were many most important subjects noticed in it, and the intentions of his Majesty's Ministers were stated on many points quite as far as it was convenient to announce them, or as could be expected under existing circumstances. The noble Duke in the first instance complained that no distinct intimation was given in the Speech of any measures which it might be the intention of his Majesty's Ministers to bring on in the course of the ensuing Session of Parliament. He could easily prove that the complaint of the noble Duke was not founded in fact; but he would, in the first instance, with their Lordships' leave, take notice of some things which the noble Duke had said — first, with regard to West-India slavery, and afterwards with regard to our foreign policy. The noble Duke said, that he should rejoice much if he should find that the apprehensions which he entertained respecting the ultimate consequences of the law for the abolition of slavery in our West-India colonies should not be realized. He would in reply to the noble Duke say, in the language of the King's Speech, that " the manner in which that beneficent measure had been received thoughout the British colonies, and the progress which had been already made in carrying it into execution in the island of Jamaica, afforded just grounds for anticipating the most favourable results from its final completion." " But," said the noble Duke, " we had yet to learn that such progress had been made in carrying that law into operation, that any measures had been passed by the colonial legislatures, or, in fine, that such definitive arrangements had been effected, as would justify Government in asserting that the measure, as a whole, had been fully successful." It was not so stated in the King's Speech. He was well aware, that there yet remained much to be done; he was well aware, that it would still be, as it had been, his duty, and the duty of his Majesty's Government, to look with much anxiety to this question, and to various objects connected with it, which had not as yet been settled. The noble Duke laboured under a manifest mistake. It was not stated in the King's Speech that the final completion of this great work was a subject on which the country could be congratulated; all that was said in his Majesty's Speech was, that the measure had been received throughout the colonies in a manner which caused him great satisfaction, though he would take leave to say, it was directly the contrary of that in which the noble Duke had predicted it would be received there. His Majesty's Government had, therefore, a perfect right to congratulate the country upon the fact that the Assembly of Jamaica had done that which their Lordships had been told it would not do—that it had passed a Bill for carrying this measure into effect, and that it had passed it in such a manner as to give, in the words of the Speech, "just grounds for anticipating the most favourable results." When their Lordships came to consider carefully and impartially the statement on this subject contained in the Speech from the Throne, he was sure that they would be ready to acquit his Majesty's Ministers of the charge of too much confidence in expressing their anticipations, seeing what had already taken place in the colonies—seeing the manner in which the Bill had been received there, and in which its principles had been adopted—that the time was not distant when it would be in the power of the colonies to proclaim the final extinction of slavery. Their Lordships had seen what had been already done in so short a space of time towards effecting that most desirable object; they had seen with astonishment, no doubt, the Governor of Jamaica congratulating the Legislature of that island at the close of its late Session upon the extinction of the greatest curse — the curse of slavery—that had ever existed. They had seen in that fact a strong proof of the progress of the measure for the Abolition of Slavery in the West-Indies, and it afforded substantial grounds on which to build their hopes of ultimate and complete success. More than that, he did not feel it necessary to say in relation to the question of Slavery on the present occasion. He would, therefore, proceed to what the noble Duke had stated with regard to the foreign policy of his Majesty's Government. The noble Duke, it would appear, had found nothing in his Majesty's Speech on that subject which was not deserving of his severest censure. With respect to Holland, the noble Duke, the partisan of the King of Holland, defended the line of conduct adopted by that Sovereign, and described the course which his Majesty's Government had pursued on this subject, as one from which the final adjustment of which they expressed their hopes, and anticipations might never be expected. In the first place he would beg leave to remind the noble Duke of the situation in which the present Ministers had found this question. He need not remind the noble Duke, that at the period he was alluding to a virtual separation had taken place between Holland and Belgium,—that the Conference had already laid down certain principles for the purpose of preventing a hostile collision between the two formerly united members of the kingdom of the Netherlands,—and that a line of demarcation was actually agreed upon, which sufficiently distinguished what the future arrangement was intended to be with regard to the respective territories of the two countries. He would not say, that at that period the noble Duke did not entertain any hope that a reunion would be ultimately effected between Holland and Belgium; but he would assert, that he did not believe any rational man in the country entertained such an expectation. The opinion which he himself expressed upon this subject in the Debate on the Address at the opening of the Session of Parliament in October, 1830, when the noble Duke was still at the head of affairs in this country, he well remembered. He then said, that he could not imagine, after the excitement of the animosities which then actuated the two countries, that they could again be united except by means the most vicious and unjust. Such were the sentiments which he had expressed at the period to which he had alluded. But, according to the noble Duke, it seemed that his Majesty's Government were imposing unjust terms on the King of Holland. Their only object had been to avert a collision between Holland and Belgium; and if the noble Duke would only recur to the papers which had been laid upon their Lordships' Table, he would see, that after many vain efforts to bring the adjustment of the question to a satisfactory conclusion, all the members of the Conference concurred in the opinion that it was in vain to hope for an effectual settlement of it by peaceable means; that, in fact, some measure of coercion was required to bring it to a conclusion, though they were not prepared to go the length to which the Courts of France and England had determined to go to effect that purpose. Yet, notwithstanding the existence of such an authority in justification of the conduct of his Majesty's Government, the noble Duke had said, that they had adopted an unjust course in reference to the King of Holland. The noble Duke was no doubt a high authority in that House and throughout Europe; and it was, therefore, with pain that he had heard such a sentiment expressed by the noble Duke, knowing as he did how likely it was to afford encouragement to the King of Holland to persevere in a pertinacious opposition to a settlement upon which the safety and security of his own kingdom must, he believed, in a great measure depend. The noble Duke said, that this question remained precisely in the same situation that it was two years ago; but he begged leave to remind the noble Duke, that the situation of both parties was materially altered; that Belgium was now placed in a situation of security against any aggression on the part of Holland, and there was no fear of any interruption of its peace. In fact, taking into account the many advantages which Belgium enjoyed under the existing state of things, there was nothing to induce it to press strongly for a conclusion of the question. He trusted, however, that the time was not distant when different sentiments would prevail in the councils of the Dutch government, and when that government would be brought to see the impolicy of its conduct and the disadvantage which accrued peculiarly to its own subjects from keeping this question in an unsettled state. He would only further state, that he should be ready, whenever the noble Duke should think fit to arraign the conduct of his Majesty's Ministers upon this point, to enter into a full defence of the line of policy which they had pursued with regard to the dispute between Holland and Belgium. In the mean time their Lordships might rest satisfied that nothing had been done, the object of which was not to preserve the peace of Europe. Much had been done with that view; and if it were not attained, it would be the fault of that Power, which for fifteen years had prevented the carrying into effect the treaty for the free navigation of the Rhine; and, though it was impossible to say how long things might remain in their present position, yet he was happy to assure their Lordships, that there was no likelihood that they would endanger the peace of Europe. The next subject to which the noble Duke had adverted was the war in Portugal. He felt as sincerely as the noble Duke,—and he gave the noble Duke ample credit for sincerity,—the unfortunate and lamentable state of that country; but was this country a party to the usurpation of Don Miguel. If, as the noble Duke said, we ought to acknowledge Don Miguel, how happened it that during three years of the administration of the noble Duke—though Don Miguel was then *de facto* as much sovereign of Portugal as at any subsequent period, and though he was as much the choice of the Portuguese nation then as now—how, he repeated, did it happen that the noble Duke had not acknowledged him? How happened it that on the very eve of going out of office, the noble Duke's Administration stated that it was absolutely necessary that Don Miguel should perform certain things before that acknowledgment could be obtained? Those things had never yet been done; the amnesty which was enumerated amongst them had never been granted, but, on the contrary, cruelty and oppression had been daily exercised by the government of Don Miguel, and the very principle upon which the noble Duke had determined not to acknowledge him justified the present Government in refusing that acknowledgment. "But," said the noble Duke, "when Don Pedro proceeded with an expedition to Portugal for the purpose of establishing there the dominion of his daughter, we should have opposed it." He did not see how this country could be justified in doing any such thing. Don Miguel had broken all the ties which he was bound to have observed! first, he broke through the ties which bound him to his legitimate sovereign; and next he violated the solemn obligations of a sacred oath. This country surely could not sanction or support such a man, and under such circumstances. In consequence of his unjust usurpation a civil war followed. There had been many discussions on that subject in both Houses of Parliament. His Majesty's Government had uniformly stated, with regard to that contest, that they had observed a real neutrality, not depriving either party of such succour as they could through their private means command from this country. And yet the noble Duke had arraigned the conduct of Government in this matter as an infraction of neutrality! He would not again go into the arguments which had been so frequently brought forward on both sides of this question; but he would maintain, as he had before maintained, that there were circumstances in the case which fully justified the course which we had pursued, and that it was not only the most prudent course for us to observe neutrality in this contest, but that we also had a right to compel Spain to observe a similar neutrality. The noble Duke had certainly given utterance to some strange statements on this point. He observed, that if we had acknowledged Don Miguel (though he did not show how, upon his own principles, we could have done so), civil war would have been avoided in Spain; and the noble Duke seemed to suppose that the young Queen of Spain would, without any difficulty, have been established on the Throne. The noble Duke asserted, that had we recognized Don Miguel, we should have had a right (a right the exercise of which the noble Duke forgot would be a real interference in the concerns of another nation) to demand, and the power to insist, that Don Miguel should not give refuge to Don Carlos, but that he should compel him to quit Portugal, and go into exile into Italy. Supposing that the circumstances of the case were such that his Majesty's Government could, according to the advice of the noble Duke, acknowledge Don Miguel, was it not certain that Don Miguel and the Apostolical party in Portugal would not listen to such a representation with respect to Don Carlos? If they would not, as was most likely, listen for a moment to such a representation from us, what then would be the advantages to be derived from the course recommended by the noble Duke with regard to Portugal,—a course intended to make Miguel do that which was necessary for the peaceable establishment of the succession to the Spanish throne? He felt as strongly as the noble Duke could possibly feel the great importance of the question to the peace of Europe—the vast and paramount importance of a peaceable succession to the throne of Spain; he felt as strongly as the noble Duke, that the interests of this country were connected with the preservation of peace in Spain; he estimated, as highly as any man could, the advantages of a lasting union of the people of both countries; he saw how much such an union would conduce to the permanent prosperity of both; and he was not, therefore, blind to the many advantages which we should reap from the establishment of a peaceable succession to the throne of Spain. The evils of a civil war in Spain were of the greatest magnitude; but he could not discover how the course recommended by the noble Duke could have averted them. Suppose Don Miguel established on the throne of Portugal, and the Apostolical party there triumphant, he could not contemplate the possibility of such a state of things without a greater certainty of civil war in Spain, and without a greater prospect of those evils which at present unfortunately prevailed in that kingdom. He did not know whether the noble Duke meant to arraign the conduct of the Government for having acknowledged the young Queen of Spain, but he gathered from what fell from the noble Duke, that the noble Duke did not approve of their conduct in that respect. Let their Lordships look at the circumstances of the case. The king of Spain having altered the law as to the succession to the throne, or rather having reverted to the ancient laws of that kingdom on the subject, and, on his decease, his Majesty's Ministers, finding his daughter *de jure* as well as *de facto* queen of Spain, thought it right to give moral force to that government, in order to enable it to establish itself, and they, therefore, at once acknowledged it. Before, however, the death of the king of Spain had occurred, with that anxiety which the government of this country should have felt for the peaceable succession to his throne, it had made a proposition through the Spanish minister which, had it then been adopted, he had no doubt would have secured that most desirable object. It was not, however, adopted, and unfortunately that state of things had occurred in Spain, to which the noble Duke had adverted, but which was, in no degree owing to the steps which had been taken by his Majesty's Ministers. They had done all they could to avert such a state of things; and for the present unfortunate position of affairs in both those countries, Spain and Portugal, the Government of this country was in no respect responsible. But the noble Duke had charged his Majesty's Government with having given direct encouragement and assistance to Don Pedro; and he had said, that our ships in the Douro and in the Tagus had afforded him much assistance. But it so happened, that in consequence of the war in Portugal, a quantity of British property and a number of British subjects were placed in peculiar danger there, and it was for their protection, and for their protection only, that his Majesty's ships were sent to the Douro and the Tagus. Government would have been wanting in its duty, if it had neglected to afford British subjects that protection to which they were entitled. It was for that purpose our ships were sent to the Tagus; it was for that purpose they remained there, observing the strictest neutrality between the belligerent parties. Indeed, so far from their affording assistance, as the noble Duke asserted, to Don Pedro, complaints, he believed, had been made, but most unjustly made, of their presence there having been favourable to the cause of Don Miguel. The more the subject was discussed and investigated, the more it would be manifest, that his Majesty's Government had only done what its duty had strictly dictated. The next subject to which the noble Duke had adverted, was the situation of Turkey. It was stated in his Majesty's Speech, that "the peace of Turkey since the settlement that was made with Mehemet Ali has not been interrupted; and will not," his Majesty went on to say, "I trust, be threatened with any new danger. It will be my object to prevent any change in the relations of that empire with other powers which may affect its stability and independence." He trusted that the independence of Turkey would be preserved, feeling as he did that its independence was most essential to the preservation of the peace of Europe. It was hardly possible for him, on this occasion, to enter into all the circumstances that had taken place previous to the settlement that was finally made with Mehemet Ali. The noble Duke said, that we should have sent a fleet into the Mediterranean; that we should have declared war against Mehemet Ali, and in that way we could have put an end to a contest which had endangered the independence of the Porte. He did not see upon what principle we could have so interfered. When danger appeared to menace the Porte, we were not deficient in taking measures to avert it. So early as April, 1833, a very strong declaration was made to Mehemet Ali by this Government upon the subject, which, in a great degree, prevented the further progress of that contest. He did not believe that it was the duty of the Government of this country, in case of a war between the Sultan and his revolted vassal—a war to which we were no parties, and in which we had no concern, save so far as by its ultimate results it might affect the peace of Europe,—he repeated, that he did not believe it to be the duty of the Government of this country to interfere directly in such a war, or to enter into hostilities with Mehemet Ali, from whom we had received no cause of complaint, and with whom we had at the moment extensive commercial relations, which it would not be our interest to disturb. We did, however, exert our utmost to prevent that contest from endangering the independence of the Porte; and the measures which had been taken in that instance had been so far successful. As to what the noble Duke had said with regard to the state of dependence of the Porte at present upon other powers, he would not say that such a dependence, particularly the dependence on Russia, was a situation which this country had not to lament and fear; but he would say, that such a state of things was not owing to any neglect of duty on the part of the present Government of this country. He could not advert to the subject of the treaty of Adrianople without feeling convinced that that unfortunate treaty, and the condition to which it reduced the Port, had given a fatal blow to the security and independence of that power in Europe. He could refer to despatches sent at the period from the Secretary of State's office in this country, strongly protesting against that treaty, and declaring that the independence of the Porte would be sacrificed, and the peace of Europe endangered, by its being agreed to. He lamented exceedingly that that treaty was carried into effect. A fatal blow was given by it to the independence of the Porte, under which Russia had obtained the right of navigating the Danube to its termination in the Black Sea, and by which a tribute was imposed on Turkey which it manifestly never could pay. In pledge for that, Russia was to hold two of its finest provinces in Europe—Moldavia and Wallachia—for the space of ten years, or until the tribute was paid; under which treaty, too, it was guaranteed that the Hospodars of Moldavia and Wallachia should in future be independent (not, indeed, of Russia, but)—entirely and completely independent of the Porte, being liable only to the payment of a small revenue to their ancient sovereign. When they saw such things accomplished, and when they saw the subjects of Russia, living in the dominions of the Porte, guaranteed an entire exemption from its authority, and provision made, that even for offences committed against that government they should be only liable to trial and punishment before tribunals of their own countrymen, it must be at once seen that the Porte was placed in a situation of degradation fatal to its independence—that independence which it ought to be the policy of this country to maintain, and which, he trusted, it would always endeavour to maintain as long as it could. Such certainly was the principle on which the present Government had acted, and on which it was acting in regard to this important question. There were other grave considerations connected with this question which he could not at present for obvious reasons enter into. What he had stated would show that there had been nothing to justify us to engage in a war with Mehemet Ali,—that we had done what it behoved us to do in that instance, and that all our efforts ought to be directed, as they had been, to preserve the independence of Turkey, as long as that power existed. It was impossible for him on an occasion of this kind to go into all the points connected with this question, but he trusted he had said enough to justify the course which Government had adopted with regard to it. He would say a few words as to what had fallen from the noble Duke in reference to that part of the speech which related to the commission for inquiring into the state of the municipal corporations, into the administration and effect of the Poor-laws, and into the ecclesiastical patronage and revenues of the Church of England. The noble Duke had said, that nothing had been stated with regard to these subjects in the Speech from the Throne. On subjects confessedly of great difficulty, and requiring careful investigation, and the most anxious consideration before any measures connected with them could be proposed to the House, he should have thought that the course taken by his Majesty's Government was the best and most likely to give general satisfaction. Government had appointed commissioners to inquire into those important subjects, before calling upon Parliament to consider any measures, which, as it seemed to him, could only be satisfactorily proposed after a previous and full consideration, in the manner that had been resorted to. But although Government did not at once come forward with an announcement of measures already decided on and in preparation, they intimated their intention to deal with all the subjects referred to in due season, as soon as measures could safely and beneficially be introduced, grounded on the information obtained and presented by the commissions. With respect to the important question of the Poor-laws—a question in the present state of the Administration of those laws most alarming, and in reference to the settlement of it most difficult, yet most necessary, and (he freely admitted) most pressing—in reference to this question, the noble Duke reproached his Majesty's Government for having done nothing in the course of the three years during which they had been in office. This was a matter which admitted of being carried further back than the date of their accession to office; and the question might be proposed: "What had the noble Duke's Administration, or that which preceded it, done in reference to the subject?" Were abuses in the Poor-laws unknown till within the last three years? Had no information been communicated to Parliament or Government on the subject previously to that period? He would refer their Lordships to an able report by Mr. Sturges Bourne on the subject of the Poor-laws—a report made so long ago as the year 1819—a period, ten years antecedent to the termination of the noble Duke's Administration. The abuses of the existing system of Poor-laws were clearly and ably pointed out by the learned person referred to, yet no step was taken by the Governments of the day to remedy the evil; and, he might add, that in the office over which his noble friend (Lord Melbourne) presided not a trace was to be found of a single measure planned or contemplated upon this subject. It was hard that the present Government should be arraigned for not doing that which their predecessors had failed to perform. It was hard, considering the various measures introduced by Ministers—considering the many momentous subjects by which they were surrounded, and which pressed upon them all at the same time, that they should be blamed for not having settled a question in reference to which the united wisdom of former Administrations had not enabled them to take a single step towards a satisfactory conclusion. Ministers had done the best thing they could—they had done more than their predecessors—they had appointed a commission to inquire into the subject, and he trusted that in a short time Parliament would have a report from that most valuable and meritorious commission, in which large and extensive views would be developed in relation to the question, and information would be afforded which would at once show the difficulties of the subject, and point out a cautious, but he hoped, satisfactory mode of settling it. He thought that this was a subject on which caution was peculiarly necessary, and that all would be hazarded by attempting too much at once. The grand point was to discover the best manner of safely remedying the abuses of that system, the maladministration of which tended, perhaps, more than anything else to increase the distresses of the country, especially the distresses of the agricultural interest, which were now most felt and complained of. In relation to the Poor-laws, he trusted their Lordships would be of opinion, that he stood exculpated and free from any just imputation. In the next place he came to the subject of the municipal corporations. It was felt, he believed, by everybody who knew the nature of those corporations that some remedy was required. Ministers had taken steps by instituting an inquiry, with a view to correct the existing abuses. But the noble Duke intimated that there was a dispute as to the legality of the commission appointed to investigate the subject, and that doubts existed how far it might be prudent to act on the report of an illegal commission (thereby assuming it to be illegal). He certainly was never more surprised in his life than at finding that an opinion had gone abroad under the sanction of a high legal authority for which he entertained the greatest respect, questioning the legality and powers of the commission.

The Duke of *Wellington:* Not the commission.

The *Lord Chancellor* understood, that the objection was taken, not to the appointment, but to the powers of the commission.

Earl *Grey*:—However that was, perhaps it would be found, on inquiry, that similar commissions had received the sanction of the law advisers of the Crown, when the learned person to whom he alluded was in office. That learned person would do well to look to it, and see whether such might not have been the case before adhering to the opinion attributed to him in the present instance. But he would not enter into the subject of the authority of the commission. Ministers would be prepared to meet any arguments or objections as to the character of the commission, or as to the legality of the exercise of certain authority, on a proper occasion; but all for which he now contended was the importance of its object. The commission was of the first importance; it afforded the best means of ascertaining the nature of corporate abuses; and he would add, the commissioners had done their duty in the most exemplary way, and accumulated a vast mass of most useful information. Till the information thus acquired was fully digested and laid before Parliament, it would be impossible for the House to take steps upon the subject of municipal corporations. Such being the case, it would be premature to enter into the question at present. The noble Duke said, it would be impossible to take any one uniform course in relation to corporations, or to frame a municipal system on the basis of the 10*l.* constituency. To this he must answer, "Wait till you see the report of the commissioners;" he did not say, that it was possible to adopt one uniform system, founded upon this or any other particular basis; all he said and insisted on was, that abuses to an extent such as could hardly be believed had been discovered by the inquiries of the commissioners, that a correction of these abuses was not only desirable but necessary, and that the means of correction would depend on the results of the inquiry, and the determination of the Legislature, grounded on the information to be laid before it. He now came to one of the last and most important subjects adverted to by the noble Duke—he meant the situation of the Established Church. The noble Duke recommended caution in reference to this subject, and in that sentiment he entirely concurred. Deprecating, as he did, all rash alterations in municipal corporations, or the system of the Poor-laws, he should approach with great caution any proposed change affecting the Established Church. The noble Duke complained of sentiments said to have been expressed by many friends of Government in speeches which were reported in the newspapers, and which he considered highly reprehensible, in reference to the Church. Perhaps it was his fault not to read newspapers quite so much as he ought, or he had not paid sufficient attention to them. However that might be, he did not very well know what the noble Duke alluded to, and he had rather not go on speeches which (whether truly reported or not) did not afford sufficient grounds upon which to form a judgment of the policy of his Majesty's Ministers. The noble Duke appeared to wish for a confession of faith from him on the subject of the Church. He had no hesitation in saying that he was a sincere friend of the Church—a devoted and zealous supporter of the Church. He was not one of those who would for a single moment appear to encourage the theorists who were for separating Church and State. Such designs he considered wild, extravagant, and dangerous. He had not concealed his opinion on the subject; he had had various communications with bodies of Dissenters, and did not hesitate to say, that in some respects, and upon some points which they felt to be oppressive, they were entitled to speedy relief. As far as real grievances were concerned, he felt anxious, and he was sure the heads of the Church were also anxious, that any relief which could reasonably be required, should be afforded; but if the Dissenters pressed for the destruction of the Church Establishment, he at once took his stand against them. He repeated, that in some cases the Dissenters, he considered, were entitled to attention and redress; but if such attacks as he referred to were made on the Church, not only would he refuse to be their supporter, but he would show himself one of their most determined and uncompromising opponents. For the sake of the Church itself, in common with a great many of its firmest friends and best supporters, he thought it necessary, that the state of the Establishment should be looked into, and that any thing of which complaints were justly made (the noble Duke had alluded to two grounds of complaint) should be corrected. But, at the same time, he well knew the difficulty of the subject, and his determination was, if he continued a member of the Government when the period of reform arrived, to look at the matter with the utmost caution. His wish was to adopt measures conducted on what might be termed a truly conservative principle—not using the term "conservative" in the sense in which it had been frequently abused. The reform which he contemplated would be adopted with the view of preserving and supporting the establishment, and not for the purpose of injuring and destroying its foundations. The noble Duke had spoken of two measures brought in by a most rev. Prelate, the one on the subject of tithes, the other in reference to pluralities. With respect to tithes, it was apparent that there existed a general disposition in the country to remove the source of grievance and dissatisfaction between clergy and people which arose out of the present system of tithes. It was admitted that something must be done in reference to them, and it was his hope, at no distant period, to be able to bring the subject under their Lordships' consideration. The measure of the most rev. Prelate had received his support in that House, but it was thought elsewhere, not to go far enough, and in consequence of its not satisfying the Commons, it was suffered to drop in the other House of Parliament. This took place in the House which existed prior to the dissolution of Parliament. The second measure, relative to pluralities, although originating in the best intentions on the part of the most rev. Prelate, its author, met with the same fate as the measure for the commutation of tithes—it also failed in the Commons. He could have wished it had been adopted; but it was to be assumed that its provisions were not satisfactory. The failure of those two measures proved the necessity of further inquiry and investigation; that course had been adopted; and he hoped, in the end, something might be done to secure the Church, and satisfy the public by prudent and needful reforms. He had troubled their Lordships at much greater length than he at first intended, or than was perhaps necessary; but, notwithstanding the time he had already occupied, there still remained one topic to which he found it necessary to advert. The noble Duke referred to that part of his Majesty's Speech which touched upon the attempts made to excite the people of Ireland to demand a repeal of the legislative union—attempts which the utmost powers of the Government must, at all hazards, be exerted to put down. The noble Duke called on his Majesty's Government to declare whether they intended to continue the coercive (it might be more properly termed the protective) law which was passed in the last Session of Parliament. That question was, up to a certain extent, answered by the Speech from the Throne. Government had expressed their decided intention to maintain inviolate the Legislative Union between England and Ireland as a firm bond of our national strength and safety; and his Majesty had called upon Parliament and all his subjects to join in the adoption of measures for "putting an end to a system of excitement and violence which, while it continued, was destructive of the peace of society, and, if successful, must inevitably prove fatal to the honour and safety of the united kingdom." That was the language of the Speech from the Throne—such was the determination of his Majesty; and, in behalf of that determination, he was sure his Majesty would not call in vain for the support of his Parliament and people. The protective measure passed last year still existed, and would not expire till the 1st of August. There was consequently plenty of time to apply for its renewal, if necessary. He had stated last year, on introducing that measure, that it was with pain and regret he proposed it to Parliament, and that it would be the happiest day of his life when he could say the law was no longer required by the circumstances of the country, or needed not to be renewed. Circumstances admitting of the repeal of that measure, he was sorry to say, did not now exist; what might be the state of the country a few months hence, he could not say, and he must decline stating what would be the future conduct of Government. This, however, he would say, that the King's Government was determined to do its duty as hitherto, with the aid of Parliament, and supported by the country. When it was considered, that at this very moment, notwithstanding the excitement referred to, and notwithstanding all the agitation and insecurity consequent upon it, the country was in a state of progressive improvement greater than that of any other country in the world—that trade and manufacture were extending—the prospect was of an encouraging nature. That the blessings of Providence should be marred and counteracted by a malignant spirit of disturbance, and that, instead of prosperity, peace, and order, which were within our reach, the country should be subjected to the evils of excitement and violence, was certainly not to be borne. There was no other subject arising out of the observations made on the King's Speech, upon which it was necessary for him to trouble the House. He should therefore merely add, that he—and he could also speak with confidence for his colleagues—had not adopted any one measure of policy, foreign or domestic, without a careful and conscientious examination of it in all forms and relations, and that the constant endeavour of Ministers was to do all they could in execution and furtherance of what they conceived to be required by the state of the country, in the hope of a liberal construction of their proceedings from the Parliament and the people, but being prepared to retire from the situations which they held, the moment they found that Parliament withheld its support, or that they had lost the public confidence.

The Duke of *Wellington* said, in explanation, that he did not blame the noble Earl for not having a measure for amending the Poor-laws now ready to be brought forward, but he complained that Ministers had not specifically stated in the King's speech, whether they contemplated a measure on the subject, and when especially as a measure had been promised for the last two years, but not brought forward.

The Address was unanimously agreed to.

HOUSE OF COMMONS,

Tuesday, February 4, 1834.

Minutes.] The House of Commons was summoned to the House of Peers to hear his Majesty's Speech, which the Speaker on his return read to the House.

Bills. The Clandestine Outlawry Bill was as usual read a first time.

New Writs issued. For Leeds, in the Room of Mr. Macaulay; and for Ayr, in the Room of Mr. T. F. Kennedy; both having accepted the Chiltern Hundreds.

Address in Answer to the King's Speech.] His Majesty's Speech having been again read (for which see the Lords, *ante* p. 1), Mr. *Charles Shaw Lefevre* rose for the purpose of proposing that an humble Address should be presented to his Majesty in answer to the Speech which they had just heard read from the Chair. He was confident that the House might assure his Majesty, that it had not resumed its labours without being fully determined to discharge its duty to the public; and he believed, that the Reformed Parliament, which, in the opinion of many, would only lead, it was supposed, to the downfall of monarchy, the destruction of the institutions of the country, and to become the mere organ of revolutionary principles, would, on a comparison being drawn between it and former Parliaments, be found to have been as zealous in its exertions for the public service, and to have accomplished the correction of abuses with as much respect for private property, with as great loyalty, and as anxious a desire to uphold the institutions of the country unimpaired, as any preceding Parliament. In proof of this he could not adduce a better test than the first of the subjects to which his Majesty in his most gracious Speech had alluded—namely, the great measure which was carried during the last Session for the abolition of slavery in the West-Indies. Notwithstanding all the demands for economy, all the plausible arguments which had been used within and without the walls of that House to prove the doubtful legality and vicious origin of slave property, Parliament, in the achievement of the glorious object of the abolition of slavery, had regarded the rights of property equally with those of humanity, and had made sacrifices unparalleled in the history of this or any other country. He congratulated the House and the country on the happy prospect that their labours would meet with their due reward; the slaves had shewn their gratitude by their tranquillity, and the proprietors of West-India property were exerting themselves diligently to carry the law into full effect with as much security as possible; wherefore he was not without a hope that this measure would prove the blessed means of abolishing negro slavery in all parts of the world. If the people of England, bowed down as they were with debt and taxation, could consent to make such an immense sacrifice to emancipate the slaves in the British dependencies, he hoped the people of the United States of America, who now exulted in the flourishing state of their finances, would follow the bright example which had been set by this country, and no longer suffer their country (he might almost say their homes) to be disgraced by a continuance of slavery. His Majesty in his Speech had directed their attention to the advantages likely to result from the Commissions which had been appointed to inquire into ecclesiastical revenues, into the state of the municipal corporations, and into the Poor-laws; and he trusted that at no distant period these important subjects would again be brought under the consideration of the House. He trusted that the same principle which had been so successfully applied to the Reform of Parliament, and which had given the people a just share in the administration of public affairs, would be followed up with regard to local Governments administered by municipal corporations. With regard to the ecclesiastical inquiry, he believed, that the information thus obtained would go far to remove those exaggerated notions of the Church Revenue which had caused much of that obloquy which was at present cast upon the Church. Parliament would then be better able to decide whether the interests of true religion, and of the Church Establishment, might not be promoted by the abolition of pluralities and sinecures, and by a fairer distribution of the revenue of the Church. But whatever benefits were likely to flow from the two other Commissions, that upon the state of the Poor-laws was likely, he believed, to do incalculable good. No one could now doubt that the injury did not arise from the laws themselves, but from their mal-administration—while they occasioned an expenditure exceeding that of some of the smaller states of the continent, and amounting to more than half the sum necessary (independent of the National Debt) for carrying on the machinery of Government. In this country, notwithstanding that expenditure, the labouring classes were in a frightful state of poverty and disorganization. In the south of England the pressure had been felt with peculiar severity, and though the agricultural labourer was better off than formerly in regard to his physical condition, he had lost all that spirit of independence that used to characterise the peasantry of England; they now demanded that relief as a right, which their ancestors had refused with indignation. They had been driven by a vicious system to contract improvident marriages, and they threw their children upon the parish for support without shame or remorse to inherit their own wretched pauperism. They were deprived of the advantages of education, or at least those advantages were very sparingly afforded; and they were thus left in ignorance of every social principle, and of the knowledge that their condition depended upon their industry. Envy of their superiors was thus generated, and they taught themselves to believe, that they had a right to at least a part of the earnings of those who were more regular and laborious, and were ready to join in such lawless outrages as disgraced the winter of 1830; or in the more silent but not less destructive operation of the incendiary fires which, up to this moment, were blazing, he regretted to say, in several parts of the kingdom. Such was, he believed, a true statement of the effects of the mal-administration of the Poor-laws in England. He hoped that Parliament would apply a speedy remedy to these alarming evils; and he was satisfied, that if in the present Session it accomplished no other object than amend the Poor-laws, it would merit and receive the thanks of the country. With regard to foreign policy, it was satisfactory to find that the integrity of the Turkish empire would still be preserved. A dawn of a better order of things was visible in Spain; and hopes might now be indulged that, ere long, she would take her place among the constitutional Governments of Europe. But that part of our foreign policy which was calculated to give the greatest satisfaction was the friendly intercourse now subsisting between this country and France; and he earnestly hoped, that the ancient spirit of rivalry, and those absurd prejudices which taught the people of both nations that they were natural enemies, would soon be exploded, and that the utmost would be done by the Governments of both countries still more closely to rivet the alliance, because he felt that it was only from the close union of England and France that they might hope effectually to support the progress of free institutions, and to resist the encroachments of despotic power. The favourable state of the revenue must have been noticed by his Majesty with peculiar gratification; and he wished there was no exception to the general prosperity. He wished that his own experience and the evidence on the Table did not compel him to admit that the agricultural, the most important interest of the empire, was labouring under the most severe depression. With the present low prices of grain it was impossible for the grower to make fair profit on his capital; and had it not been for the comparatively high price of wool and of some species of stock, many an occupier would have been upon the verge of bankruptcy. Let it not be supposed that he was the advocate of high prices, for he believed, that the interests both of the public and of the farmer, were best promoted by moderate and steady prices. The complaint which he made was, that the agriculturists were not only made to bear the burthens of the State, but had a much larger share of taxation thrown upon them than any other class of persons whatsoever. If the House would bear with him for a few moments, he would bring before it a short statement of the effects of local taxation on a few agricultural districts. He would take the counties of Berks, Bucks, Dorset, Hants, Sussex, and Wilts, comprising an area of about 4,460,000 acres, the population of which was 1,277,000 souls. The poor-rate alone amounted to 1,074,000*l.*, and the county rate and other local imposts made the sum which was paid within the circle he had described as much as 1,286,000*l.*, or more than 1*l.* per head. The sum of 1*l.* per head was exclusive also of Land-tax and statute labour. There was another burthen to which the land was subject, which deserved serious and early consideration—tithes. Some commutation of this odious impost would be most gratefully received by the people. He understood it was the intention of the Government to introduce a plan for the commutation of tithes. But although he was the advocate for the reduction of tithes, he never would sanction, much less support, that proposition which had obtained, he was sorry to say, such extensive support among a large body of agriculturists in the west of England, and which went to say that, instead of one-tenth, the tithe-owner should only receive one-thirtieth of the produce of the land. He was no tithe-owner; but, nevertheless, he deprecated every attempt to deprive those who were tithe-owners of their just rights. Many deductions were to be made from the expense of collecting tithes; and he trusted that the tithe-owner would himself come forward liberally, to contribute to the extinction of a burthen so onerous and so prejudicial. He did not consider the case of the landed interest by any means hopeless, because it was in the power of Government to afford a remedy. If the profitable outlay of capital were not checked by tithes, and by the injurious operation of the Poor-laws — if the distrust between the labourer and his employer were removed by the moral elevation of the peasant—the English farmer need not despair of receiving an adequate return for his capital and his industry, and of again living in comparative comfort and security. There was only one other topic to which it was necessary for him to allude. His Majesty had expressed, in the strongest terms, his determination to preserve inviolate the Legislative Union between England and Ireland; and he had no doubt, that this determination would receive the cordial support of both Houses of Parliament. He said this from no want of sympathy with the sufferings of the people of Ireland—from no desire to conceal the evils of misgovernment there; but, after the best consideration of the subject—for the sake of Ireland, and for the sake of Ireland alone—he thought it would be an absolute act of madness to repeal the Union. But were there no other persons to be consulted—no other parties to the contract? Were the Representatives of Scotland to have no voice in the matter, when the security of the whole empire was threatened by the dismemberment? He apprehended that within these walls, and before the united Parliament only, could the great question, if mooted at all, be properly decided. He called upon the Irish Members who advocated, or felt disposed to advocate, the Repeal of the Union, as they valued the peace and prosperity of their country, to lose not a moment in bringing the question to issue. But let them not suppose that, by reckless agitation, they could intimidate the Commons of Great Britain. They might weary her patience, or weaken her affection, but they could not prevent her from being strictly and impartially just. To the Coercion Bill of last Session, he and others had given a reluctant support; and the result had shown how worthy Ministers were of the confidence thus reposed in them. Since that period the Irish Church had been reformed, the Vestry Cess had been abolished, and the Grand Jury Laws had been amended. Whatever other measures were necessary would, he was sure, have the best consideration of that House; and he trusted that that Union, once so earnestly desired by the Roman Catholics themselves, which had secured to them the blessings of Emancipation and of a Reformed Parliament, would be sacredly and inviolably preserved; and by consolidating and identifying the interests of both, it would secure to the people of

Ireland the perfect enjoyment of religious and political freedom. The hon. Member concluded by moving that an humble Address be presented to his Majesty, which was as usual an echo of the Speech from the Throne.

Mr. *Morrison* said, that in rising to second the Address which had been moved by his hon. friend, he felt that it would be unnecessary for him to occupy much of the time of the House in going over the same ground, or in touching at all upon many of the topics which it embraced, and to which his hon. friend had addressed himself so well and in a manner so satisfactory to the House. He should, therefore, restrict himself to certain parts of the Speech with which his own practical information rendered him best acquainted. He concurred entirely in all that his hon. friend had said, especially on the subject of West-India Slavery, and he was sure that the country would observe with delight the prospect held forth by the speech, that that long-disputed subject was likely to be arranged so happily. It was most gratifying also to him to know from the same source that all the complicated questions, some of which had undoubtedly presented very great difficulties, connected with our foreign relations, were in a progressive state of adjustment, and that his Majesty's Government, notwithstanding the difficulties of the subject, had been enabled to preserve to this country the inestimable blessings of peace. That gratification, too, was much increased in his mind by knowing that this state of things had been brought about under the cordial co-operation of his Majesty's Government with the government of France. He trusted it would not be considered out of place if he here ventured upon an expression of his cordial hope that the political union of the two countries might soon be followed by a more liberal and extensive commercial intercourse, which must tend so greatly to the benefit of the people of each. With respect to the inquiries directed under his Majesty's Commission, and especially that relating to Municipal Corporations, he believed that that inquiry, and the manner in which it had been conducted, had given the greatest satisfaction, and afforded proof that his Majesty's Government had no intention to protect abuse wherever it might be found to exist, but to give to the public a proper control over their own property and funds, and a security that the trusts under which all such property was held should be duly executed. He hoped, from what he had seen of the inquiry, that it would lead to measures necessarily following up the Reform Bill, and which would be in perfect harmony with that great measure. His hon. friend who had preceded him, being the Representative of an agricultural district, was, of course, more accurately informed than he was of the condition of agriculture and its wants; but he, also, was too much connected with the agriculturists not to know that great suffering had been felt by that class. At the same time he believed that the adjustment of rents to prices had become much more common than was generally imagined. Even, however, with such opinions he certainly could not hope to see the whole subject satisfactorily arranged until other questions—the Poor-laws, for instance—and especially one question which was of paramount importance, as between that and the other interests of the country, and which then occupied much attention in the country, should have been brought to a final settlement. He believed that all who were practically informed upon the subject would concur most entirely in his Majesty's congratulations upon the state of trade. He believed that, taking every branch into consideration, the whole year had been one of more than usual prosperity, as was so far evident, indeed, from the evidence taken before the Committee which sat last Session. If any doubts were entertained of the correctness of that proposition, he was confident they would be removed by a few facts which, with the permission of the House, he would proceed to lay before them. He should do so in the briefest manner, because he was anxious that the facts should speak for themselves, knowing that they would do so with more effect than they could derive from any colouring in his power to give them. He would first proceed to place before the House a statement of the comparative condition of the cotton manufacture and trade in the present and former years. In the year 1832, the quantity of raw cotton entered for home consumption was 262,221,780 lbs.; in 1833, the quantity was 296,076,640 lbs.; being an increase of 13 per cent on the year. He should also state, as a fact worthy the attention of the House, that the imports of cotton for home consumption last year were the largest ever known.

Even in 1825, when so much speculation was afloat, the quantity imported was only 202,546,869lbs.; showing an increase upon last year, over that of 1825, of thirty per cent. The declared value of our exports of manufactured cotton, yarn included, in 1832, was 17,398,378*l.*; in 1833, the value was 19,659,672*l.*, being an increase of thirteen per cent. These facts were sufficient to show that the cotton trade was in a most satisfactory condition; but there were some other striking points of view in which the recent improvement was manifested. He would ask the House to look at the quantities of cotton entered for home consumption during the last twenty years, dividing that period into two, and comparing the two periods with each other. The annual average imports of the ten years beginning 1814, and ending 1823, gave 120,623,721 lbs.; the average of the ten years from 1824 to 1833 was 227,052,851 lbs.; showing an increase of eighty-eight per cent. He next came to our woollen manufactures, so important, not only to the manufacturing interest, but also to the agriculturist who produced the raw material; and, from the imports which had recently been made from New South Wales, we might hereafter look to it with every confidence as an article of high importance to our colonial interests. In 1832, the quantity of wool entered for home consumption was 27,748,912lbs.; in 1833, it was 39,618,503lbs.; being an increase of upwards of forty per cent. The exports of manufactured woollen goods in 1832, in declared value, was 5,479,866*l.*; in 1833, it was 6,511,780*l.*; being the largest export since 1819, and showing an increase upon last year of upwards of eighteen per cent. If they looked to the comparative state of prices, they would find a still more remarkable increase. Since last year English wools had advanced in price from 14*d.* or 15*d.* to 2*s.* per lb.; being an increase of upwards of seventy per cent. The Australian wool that was 1*s.* 11*d.* had advanced to 2*s.* 9*d.*, being an increase of upwards of forty per cent.; and foreign wools (German and Spanish) excepting the very fine wools, had increased, on an average, by forty per cent. The Australian imports in 1832 were 10,483 bags (of about 200lbs.); in 1833, they amounted to 14,948 bags; being an increase of upwards of forty per cent. Looking to the fact of the rapid increase of sheep under the favourable influence of that climate and soil, he could not help viewing that colony as being hereafter destined to aid in securing to us a continuation of that superiority in our woollen manufactures which the country had hitherto possessed throughout the world. And here he must do justice to the former government of the country for having originated that course of commercial policy which, in every case, had been productive of so much advantage to our manufactures wherever it had been applied. This was no more than justice; while at the same time to his Majesty's present Ministers the same acknowledgment was due, for they had supported the principles of that policy when out of office, and carried them still further into effect since they had been in power. In 1826, Mr. Huskisson proposed the reduction of the duty of 6*d.* per lb. upon the import of German wool, and removed the prohibition on the export of the growth of this country. At the time it was said, that this would be most injurious to both our agriculture and our manufactures. Yet what was the result after eight years of trial? He was confident that no impartial or unprejudiced man could assert that the manufacturer would have been in the state he was now in, or that the farmer would have been obtaining the present price for his wool, if that measure had never been adopted. He then came to the silk manufacture. The quantity of raw silk entered for home consumption in 1832 was 4,392,073lbs.; in 1833, it was 4,758,453 lbs.; being an increase of something more than eight per cent. Upon the prices there had been an average advance on all the sorts of the article, ranging from twenty to fifty, and averaging thirty per cent. But the fact which must be the most gratifying to the House to know, connected with this branch of trade, was the great increase in the exports of our silk manufactured goods. The declared value of the exports for 1832 was 529,990*l.*; while, in 1833, they had advanced to 740,294*l.*, being an increase of nearly forty per cent. Another most satisfactory view of the condition of our silk manufactures would be found in looking at the same comparison he had made with respect to cotton, upon the average of the two last periods of ten years each. The quantity of silk stated as entered for home consumption (excluding thrown), in the ten years from 1814 to 1823, gave an average of 1,580,016 lbs.

per annum. The same average taken upon a similar period of years, ending in 1833, gave an amount of 3,651,810 lbs.; being an increase of 130 per cent. Of the last ten years, too, let it be remembered, that during eight of them there was a free trade in this article of our manufacture. He should next speak of the linen manufacture. This article, it was well known, had suffered greatly from the competition arising from the improvements in machinery, and the consequent great fall in prices in the cotton manufacture; whilst there had been no corresponding improvement or reduction in the linen trade. Lately there had been a change in this state of things; and he hoped that our linen manufactures would benefit by the improvement equally with the cotton-wool markets, though not at the expense of the latter, but from that general rise in which both would participate. The quantity of flax entered for home consumption in 1832 was 995,512 cwts.; in 1833, the quantity entered was 1,127,736 cwts.; the largest previous year having been 1825, in which the quantity was 1,018,837 cwts.: thus showing an advance of more than thirteen per cent. The declared value of the exports of manufactured linens in 1832 was 1,783,432*l.*; in 1833, 2,199,441*l.*; being an increase of considerably more than twenty per cent. The comparative import of flax for home consumption he was not enabled to take upon a larger period than the last fourteen years, dividing it into periods of seven years each. In the seven years from 1820 to 1826 inclusive, the quantity of flax entered for home consumption was 4,484,867 cwts.; in the seven years ending with 1833, it was 6,586,130 cwts.; being an increase of upwards of forty-five per cent. He was not disposed to detain the House further on this branch of trade; but that in the case of the linen manufactures at Dundee, there had been so astonishing an increase that he could not refrain from stating some facts which had been communicated to him. The import of flax at Dundee in 1814 was 3,000 tons; during the year ending 31st May 1831, there were imported into Dundee 15,010 tons of flax, and 3,082 tons of hemp; in the year ending 31st of May, 1833, the imports were 18,777 tons of flax, and 3,380 tons of hemp. At the same time the exports had increased to an equally astonishing degree. In the year ending 31st May, 1831, it had been calculated that there were shipped off from the port of Dundee 50,000,000 yards of linen, 3,500,000 yards of sail-cloth, 4,000,000 yards of bagging; in all 57,500,000 yards of manufactured goods. The imports of the raw material, flax and hemp, in the year ending 31st May, 1833, were estimated in value at 700,000*l.*; and as the exports of manufactured articles in the same year amounted in value to 1,600,000*l.*, the difference, 900,000*l.*, remained to be divided between the wages of the labourer, and the profits of the capitalists. As this manufacture was rapidly increasing, it promised to come into successful competition, at least in Scotland, with the cotton trade. In the iron trade a similar improvement was observable. The price of bar iron in Wales in 1832 had been 4*l.* 15*s.*; in April last it was 6*l.*; and it had increased to 7*l.*; thus showing an increase of fifty per cent. The declared value of the exports of iron manufactures for 1832 was 1,190,748*l.*; for 1833, it was 1,425,723*l.*; being an increase of nearly twenty per cent. This improvement would, in all probability, continue, among other causes, from the increased demand for the article in the formation of rail-roads. He understood that large orders had already been given for such undertakings, especially from America. There was, in his opinion, no doubt that other countries, seeing what had been done by the towns of Liverpool, and Manchester, would profit by their example, and obtain those facilities for carriage and communication, in which iron was so important a material. He believed it very probable that large orders would continue to come from America, though such were at present checked by the state of the question between the Bank and the Government. And might he not also venture to hope that another country nearer home would adopt the same course? He thought the iron trade of this country would be justified in counting upon France hereafter as one of its most valuable customers. It certainly did seem remarkable, that a country so enlightened as to its own interests as France, should endeavour to force the production of the article of iron at home, while we could supply it to her at so much cheaper a rate. He had now touched upon many of the leading branches of our industry, and although he might have added others in corroboration of his views, and in support of the information contained in his Majesty's Speech, he felt that he had no right to trespass upon the House at too much length. There were other cases, in which the most astonishing progress in manufactures had taken place, and some where manufactures, formerly of small importance, were now flourishing in full vigour and activity. Perhaps this desirable state of things was partly owing to the long continuance of peace. Undoubtedly that blessing was most to be desired by all countries, but especially in a country like this, whose people were so extensively employed in manufacturing labour. Though he was unwilling to detain the House, the statement he had made as to the trade and manufactures of the country would be incomplete if he were not to add that the condition of the labouring population had partaken in the general improvement. This he thought could not be denied in the face of the evidence given before the Committee to which he had already alluded, where, it would be remembered, that almost every witness bore testimony to the improvement in the condition of the industrious classes. With regard to the latter, indeed, there was then one exception, and that was the case of the hand-loom weaver, though it was a remarkable fact connected with the general improvement in the condition of the labourer that wages had uniformly improved most where the greatest improvements in machinery had been effected, and that they were as uniformly low where machinery had not been introduced. How great a proof was this, that no one was so much interested in the application of machinery to our manufactures, as the labourer whose wages were in fact raised, while his labour was diminished, and his situation in every respect improved. That the situation of the hand-loom weaver was improved since the last session, he found confirmed by a letter from a competent person at Glasgow, who, after describing the past distress, goes on to say,—'This, however, is now over, and 'the cotton, as well as every other branch 'of manufacture here, may be reported to 'be in what is called a most healthful state, 'and I think there is every prospect of their 'continuing so. The printing trade has 'been particularly prosperous, and is rapidly 'increasing. The silk manufacture is also 'progressive. As some evidence of the 'present situation of our general manufac'tures here, there has, within the last ten 'days, been an advance upon the wages 'of nearly all the descriptions of hand'loom weavers, of from 10 to 12 per cent. 'This unlooked-for occurrence seems to 'have been brought about by the follow'ing circumstances:—The continued mi'serable and apparently hopeless condi'tion of the hand-loom weaver had im'perceptibly, for some time, been working 'its own cure. New hands, when for'merly required in the business, used to 'be more than supplied by the parent 'weaver putting all his children upon the 'loom the instant they could be set to 'work. The wretched wages, however, 'which this trade has now for a long time 'afforded, has gradually led the parents to 'look elsewhere for employment for their 'children, and the addition to the stock 'of hands has been every year diminish'ing. Along with this, all the weavers 'who were able, in any degree, to improve 'their condition by betaking themselves 'to other employments, have left the 'trade. But not only has the stock of 'workers been thus far reduced, but 'an unlooked-for demand for hand'weavers, to be employed on what is 'termed harness-work, in fabricating fan'cy-coloured goods for the American and 'Persian markets, has lately sprung up; 'and as these articles afford better wages 'than plain goods, a great number of hands 'have been taken away from the weaving 'of plain fabrics. The weavers of plain 'goods, thinking this a favourable moment 'for effecting an improvement of their si'tuation, have demanded an advance of 'wages, and this has been conceded to them 'by their employers about ten days ago.' Now, it would be remembered, that last year a petition was presented from that body, complaining of severe distress, and praying for the fixing a minimum of wages. The change which had taken place confirmed the principle, that these things always worked their own cure when the Legislature left them to themselves. Having noticed the manufactures of England and Scotland, he would now, with the permission of the House, detain them while he alluded very briefly to the manufactures of Ireland. He was enabled to state, from personal inquiries made in the north of Ireland, that the improvement in the manufactures of that district during the last year, had been quite equal to the progress which had been made in the sister countries. This improvement probably arose from many causes, but mainly, he believed, from the extensive introduction of mill-spun yarn, the increased use of which had rendered the article of manufacture much better, and consequently extended its consumption. The increase of flax-mills for this purpose, was an evidence of this improvement. In the neighbourhood of Belfast, eight or nine of these had been established, where, five years ago, not a single mill existed. He might also remark, that there had been a considerable increase in the export of yarn—a proof that other nations, in this, as in all other cases, were always ready to profit by our discovery and use of improvements in machinery. In evidence of the improvement in Ireland, he went on to make a further extract from the Glasgow letter already quoted :—' A con-' sequence of this reduction of the supply ' of hand-weavers here, for the plain ' fabrics, has been an extension of the ' employment of the hand-weavers of the ' north of Ireland. Two of our principal ' houses engaged in the manufacture of ' fine plain muslins have for a long time ' had weaving establishments at Belfast, ' where a foreman gives out their yarn to ' be woven, and sends them back the cloth ' daily as he gets it from the weaver. The ' steam communication renders this as ' little expensive as employing weavers ' within a certain range of country round ' Glasgow. The weavers' wages in the north ' of Ireland, have always been a shade ' below those paid here, and the goods ' have been well executed. These estab-' lishments at Belfast for giving out weav-' ing are now on the increase. Several new ' ones having been formed lately, I should ' think very beneficial future results to ' Ireland may be expected to spring from ' this commencement of the employment of ' British capital in combination with ' Irish labour.' When he saw this progressive improvement in the manufactures of the north of Ireland, and reflected upon the still greater facilities possessed by the south in the cheapness of labour and living; when he considered the advantages enjoyed by Ireland in her free command of the ports of England and her markets, he owned he was surprised, that manufactures had not established themselves very extensively in such a country. He must be permitted to state, with all respect for those who entertained a different opinion, that one of the principal causes of this anomaly was to be found in the fact that manufactures could not be established where agitation and outrage prevailed. It seemed to be the fate of that country constantly to repel the advantage she so much wanted—namely, domestic employment for her population. At the present time labour was cheaper in Ireland than in any other country he knew of, in which manufactures were established. It must, indeed, be admitted, that there were in Ireland evils and wrongs which ought to be removed and remedied ; but the true remedy for those evils would, in his opinion, be more effectually supplied by a united Parliament than by an Irish Parliament. He would not enter into the argument concerning the Repeal of the Union; but he feared, that the people of Ireland had not considered well how their real interests would be affected by the remedy they sought. It was said, that to the union with this country Ireland owed the destruction of her manufactures. But he did think it unfair that the Union should be charged with that change, which had in fact arisen from the free trade between the two countries from which Ireland had derived such immense advantages. But, even allowing what had been said, had Ireland suffered alone by such changes? If in Dublin an important branch of the silk trade had fallen into decay, so in Norwich, still more recently, a similar branch had been almost extinguished. The former change could not therefore proceed from the Act of Union, but in a great degree from those capricious changes of fashion over which the Legislature had no control. The Irish woollen manufactures, like some which formerly existed in the south of England, had been compelled to yield to the superior enterprise and the superior advantages of the people of Yorkshire. But these changes, great as they were, and injurious to particular places, or districts, carried also great advantages with them to the empire at large ; nor was Ireland shut out from participating largely in some of those advantages. These changes enabled the Irish to dispose of increasing quantities of their agricultural produce, for which they had always found the best market in England. These changes also enabled Irishmen to find an increasing demand for their labour in this country. The House would bear in mind the great expenses incurred in the north of England by the increase of manufactures ; and that, whilst the poor-rates there and in the south of England had considerably increased, and principally by the influx of Irish labour, the landlords in Ireland were totally exempt from any such charge. If then some branches of the manufactures of Ireland were transferred to the north of England, so were also very many of her people, who, to a vast extent, became chargeable upon the poor-rates of this country. He would undertake to say, that a greater number of Irishmen found employment and support in England than had, by any decay of trade, been thrown out of employment in Ireland by the causes to which he had alluded. Having said thus much with regard to the transfer of manufactures from one country to the other, he would next touch upon another important point in the Speech, that of the revenue, which he was glad to hear had improved so much, by which means he trusted that his Majesty's Ministers would be enabled to make further reductions in taxation. This circumstance was the more gratifying as considerable reductions had already been made, notwithstanding certain incidental expenses to which the country had necessarily been subjected. He could not help congratulating the House upon having such hopes held out to the country; and, though he himself occasionally opposed the Ministers, he felt bound on this occasion, as an independent Member, to come forward and give them his support. In conclusion, he felt called upon to say, that, though always ready to oppose Ministers when he thought them wrong, he was then glad of the opportunity to support men who had shown so much wisdom and firmness in carrying the great measure of Reform; a measure which he sincerely believed would contribute to the future welfare and prosperity of the country. He also felt satisfied, that the present Ministry would make still further beneficial changes, and, in his honour and conscience, he firmly believed that there was no set of men who possessed equally the power and the disposition of rendering services to the country. He had great pleasure in seconding the Address which had been moved by his hon. friend.

Colonel *Evans* did not venture to anticipate any definite or satisfactory declaration in the Speech which had been graciously delivered from the Throne. It was from time immemorial the character of such Addresses that they were vague, undefined, and incomprehensible, even as to the doctrines which they purported to propound; and he was bound to acknowledge that the document before them rivalled all its predecessors in those qualities. It did not seem clear as to the topics which it touched, nor in its indications of what the future labours of the House might be directed to. It appeared to him, upon the slight consideration which he was able to give to that Address, that it contained two or three points which had excited some difficulty, and which had forced themselves particularly upon the minds of its framers. The business of the last Session had been referred to, and there were other points which had been the subject of particular and pointed allusion. Among them, allusion had been made to the distress under which the agricultural classes were said to be suffering. Now, for his own part, he must say that he did not see the necessity for the introduction into the Speech of any such topic, and he was bound to say, as he felt, that there was no necessity for it. He would add, that until he heard the Speech form the Throne, he was not aware that the agricultural classes laboured under any particular distress. When he had made use of that expression, he was perfectly aware that he was liable to the correction of those Gentlemen who on that subject had better means of personal observation than he had, and who, if he were in error, would set him right. He might have been incorrect; but he would repeat his assertion, that until that evening he was not aware of the existence of agricultural distress to the extent described in the Speech. He regretted that this uncalled-for notice of the peculiar pressure of agricultural distress should have been introduced into the King's Speech, and his regret arose from this consideration, that he believed the allusion to be tantamount to an intimation, that Ministers would resist certain salutary reforms which the country loudly and justly called for, and which the people had a right to expect from the Government. He referred more particularly to that monopoly which the Corn-laws was intended to keep up, and which, in the opinion of the great body of the people, was injurious to their interests. The hon. Member who moved the Address had dwelt feelingly upon the distresses of the class he himself immediately belonged to; but the gloomy picture drawn by the hon. Mover was greatly relieved by the statements of the hon.

Member who seconded the Address. If, as stated by the hon. Mover, the agricultural classes were labouring under great distress, and entertained gloomy anticipations, there was this relief to the dark picture, that in the hon. Seconder's view, the prospects of the manufacturing classes were all brightness and serenity. This latter statement might be gratifying to some persons, but he was sorry to say, that he partook more of the gloomy lamentations of the hon. Mover, than of the cheering anticipations of the hon. Seconder of the Motion. However this might be, he was extremely sorry at the introduction of these topics, because that too plainly intimated to his mind, that there was to be no revision of the Corn-laws, and that the people must not now expect that immediate diminution of taxes which they had long looked for, and which they had a right to think would take place in the present Session of Parliament. He alluded particularly to the House and Window taxes, against which there was a very strong feeling, not only in the metropolis, but throughout the country. There certainly was in the Royal Speech an especial recommendation to exercise the strictest economy in every department of the public service; but this was a recommendation in which he could place no great confidence, as it was merely a repetition of what had been invariably said in Royal Speeches during the last forty years; and it was a notorious fact, that in years of the most lavish expenditure, the King's Speeches uniformly recommended the strictest economy. On this occasion he should endeavour to give a partial effect to that recommendation, and should for that purpose give notice of a motion for a repeal of the House and Window-taxes. He selected these because he understood from certain intimations which were given out, that the Government still intended to retain the Window-tax, and to confine their remedial measures to a repeal of the House-duty. He did not mean, in giving the notice to confine himself to any particular time, but he would undoubtedly persevere in bringing forward a motion on this subject, unless he received an intimation from the noble Chancellor of the Exchequer that it was the intention of Government to repeal both those duties. As no intimation had been held out to him by the noble Lord, he was afraid it was too true that there was no intention on the part of Government to repeal the Window-tax; and feeling, as he did, the oppressiveness of this tax, particularly to the inhabitants of this great metropolis, he hoped the House would excuse him whilst he made a remark or two on the injustice and partiality of the House and Window-taxes. The people of London were the chief sufferers from the pressure of those taxes; they were levied and collected irregularly and unfairly; and in no part of the kingdom was the unfairness of the tax so perceptible as in London. In short, the people of the metropolis suffered more from those taxes than did all the rest of the kingdom. It was an important fact, that owing to the irregularity and partiality with which they were collected, the people of Westminster had to pay more under this head than was paid by the whole of Scotland, with all her great cities and manufacturing towns. Even independently of the great unfairness of these taxes, there were other grounds upon which they ought to be repealed. Whatever excited the attention, and concerned the interests of this great metropolis, must always be entitled to the best consideration of Parliament. But the House must also recollect that these were war taxes, and as such, that the repeal of them was due to the people. They were long ago denounced by hon. Members who now sat on the Treasury bench. The repeal of the Window-tax had first been agitated by an hon. Member now in the Government, on the ground of its being a war tax, and as such had become unnecessary; and also upon the ground of its inequality and injustice to people in business. The inhabitants of the metropolis had warmly and eagerly sought for a repeal of both those taxes, not only on the ground of their oppressive injustice, but also upon the ground that their means of paying them had rapidly declined. These taxes were also obnoxious from their being partial and favourable to the aristocracy. How, then, could the Government think of resisting a Reform which was so loudly and justly demanded by the people? How could they resist the repeal of taxes which were unequal, and unjust in their pressure, irregular in their collection, and which pressed most heavily upon the most industrious and least opulent classes in society? What could be more unjust than that tradesmen should be made to pay more for lights necessary for their business, than were paid by men of fortune for lights that were only luxuries? It was impossible to make the collection of the Assessed-taxes, however well intended, either equal or just; they were a positive grievance, and no mode of administering the law under which they were collected could make them palatable. A tradesman who wanted to open a garret-window in the most obscure street in the metropolis would have to pay eight or nine shillings, or for a few inches in addition to his shop-window; whilst a noble Lord, or hon. Member, who wished to add a large window to his mansion, situated in the most fashionable part of the metropolis, would not have to pay more than eighteen-pence. These were grievances which loudly called for remedy; and he saw no means of remedying them but a total repeal of these oppressive taxes. In fact, he believed that they could not be continued, and that their injustice, together with their unpopularity, would enforce their repeal. Much had been said of the great extent of agricultural distress, but whatever distress might exist among the agriculturists it was not so great in proportion to that of the manufacturers as had been stated. The heavy pressure of Poor-rates in a few agricultural counties afforded no just criterion of the true condition of the country, because such a pressure might be the result of an abuse of the labour-rate. If he were actuated by any factious hostility to the Ministers, which he distinctly disclaimed, he should wish them to continue in their present impolitic and unpopular course. If he were actuated by such motives, he should encourage them to support the Assessed-taxes, which pressed so heavily upon the people of London, already borne down with the weight of taxation. Having no such feelings towards the present Administration, he would implore of them to reconsider this subject, and repeal those obnoxious taxes. Let them but consider the amount of taxation levied on the metropolis, 3,000,000*l.* being paid in local and direct taxes, independently altogether of Excise and Custom duties. They should also bear in mind, that notwithstanding this vast revenue derived from London, the resources of its inhabitants had not proportionately increased. London had latterly lost some of the peculiar advantages which it had for a long time enjoyed. The large monopolies which it had possessed were now abolished, and several branches of its trade had been transferred to the outports and other parts of the empire. The India trade, amongst others, was now falling away from London; and there was a variety of circumstances which afforded the strongest reasons for lightening the burthens of the people of the metropolis. Independently of these reasons, the Returns before the House afforded a conclusive argument for repealing the Assessed-taxes. One-third of the war taxes which yet remained, was paid in London, though in fairness its proportion should not be more than one-eighth, or one-ninth. Here, then, he repeated, was a conclusive reason for the immediate discontinuance of this tax; and when he declared that, in arguing for its repeal, he spoke upon good authority, he begged to observe that the abolition of the Window-tax was first agitated by many Gentlemen opposite as far back as the year 1824, when a Resolution was brought before that House to the effect, that it was the opinion of that House that the repeal of this tax should be carried into effect; the tax being one which was unjust, injurious in its operation, and most oppressive to the least opulent of the community. Now, amongst the supporters of this Motion, he found the names of the noble Lord, the present Lord Chancellor, together with several others of the present Administration, and lastly (though not least), amongst those names he found that of the noble Lord opposite, who was now the Chancellor of the Exchequer. That noble Lord then contended for the repeal of this tax; but, notwithstanding this, he had allowed two years to elapse, and had hitherto done nothing to forward this great object. Now, if there were upon these occasions to be a total oblivion of past votes and professions—if, indeed, this were to be allowed to pass unnoticed, and were to be sanctioned by that House—that Reformed House of Commons—he (Colonel Evans) knew not what the public would have to rely upon; because neither political consistency, nor political morality, could exist. This, however, was all he would venture to say on this point; but there were other topics upon which he would beg to address the House. Now, what he complained of more particularly, was, the odium which naturally attached to the House and Window-taxes, from the very fact of their involving the disqualification of electors to vote, in the event of these taxes not being paid up to a particular day. For his own part, he would observe, that he was not a willing opponent to the present Administration; but he felt that the continuance of these taxes had a tendency to cast a doubt or suspicion upon the minds of the public as to the sincerity of those very men who had introduced the Reform Bill with the avowed intention of extending the elective suffrage, but who continued to retain two taxes which restricted the operation of the elective franchise. If he were disposed to be a factious opponent of the Government, he should wish, and would advise them, to continue these oppressive burthens; but, on the contrary, he would venture to entreat them to reconsider that point. He was well acquainted with the distress which prevailed among various classes in the metropolis; he believed, that it existed to a great extent, and that it might in a great measure be traced to the continuance of the House and Window-tax. On that ground he would call for the repeal of those taxes at the hands of the Government as an act of public justice; and upon that ground he repeated his hope, that the Ministry would reconsider the point. He would observe, that he concurred in certain parts of his Majesty's Speech; but he had heard that part of the Speech with sorrow which contained some unnecessary and uncalled-for allusions to the state of Ireland. He could not believe that the course which had been pursued in speaking of that country was politic, and every one must be aware, that the language adopted was foreign to the known noble sentiments of his gracious Majesty. Without, however, entering into the question of the state of Ireland, he would say, that he thought that it would be the duty of some one of the Members for Ireland to move an Amendment to the Address, with a view to relieve his Majesty's Government from the unpleasant task of echoing still more unpleasant sentiments. In reference to the affairs of Portugal, he must observe, that he had sojourned some weeks in that country since the termination of the last Session of Parliament, and he, therefore, hoped he might be allowed to say a few words upon the conduct and character of the ruler of that country. With that part of the Speech from the Throne which related to Portugal he fully concurred. To the meritorious conduct of the regent of Portugal he could bear witness; and he mentioned this fact, as he knew that in some of the newspapers of the metropolis some articles had appeared of a different tendency, he presumed, with a view to lead the country to suppose that the removal of the regent from Portugal was a probable event. He hoped, however, that any such impression would be destroyed by the Government. It was, however, with infinite satisfaction to himself, and he thought it must be equally so to the House, that he was able to state, that no Prince was ever more likely to contribute to the happiness of Portugal than the present regent of that country, whom he believed to be actuated by the best feelings, and whose political conduct had been such as to reflect the highest credit upon him. There was, another subject in reference to the regent of Portugal, which, as it had been alluded to before and might be so again, he begged to recur to. It had been observed, that the Constitution which he had professed to give to that country had not come yet into operation;—but, seeing that the kingdom was in a state of civil war, it was hardly to be thought that the proposed Constitution could come fairly into operation for the present, and therefore any observations from that House would be ill-timed. He believed, that since the regent of Portugal had been in power, not one individual had suffered capital punishment for any political offence. During the period in which he had been in Lisbon he met Don Pedro in the streets, accompanied by a single attendant only; and he knew for a fact, that the whole police force of Lisbon did not amount to more than 200; and he wished, that the numbers of the police in this country were regulated by a proportionate standard. He had thought it right to say thus much; and he would merely add, that he hoped and believed there was no truth in the report that this country was going to take an active part in the affairs of Portugal. There was no necessity, he was glad to say, for any such interference, as the present triumphant position of the Constitutional cause rendered it unnecessary to afford it any assistance. There was another point to which he wished to direct the attention of the Foreign Secretary, and upon which he hoped the noble Lord would be able to give a satisfactory explanation; he meant the late treaty between Russia and the Ottoman Porte. He had seen, in common with many other persons, the correspondence on this subject between the French Minister and Count Nesselrode, in which the former had couched his opinions in the most submissive terms: and he hoped that, when the correspondence of the Minister of England with that of Russia became known, it would not be found to be couched in the same tone of subserviency as that of France. He could not help observing, that the communications between the French Minister and Count Nesselrode were marked by the most submissive tone on the part of the former, whilst the reply of the Representative of Russia was as contemptuous as the politeness of diplomatic usage would allow. He could not help adverting also to the great discrepancy which existed between the several statements made on this subject by the French Ministers in the Chamber of Deputies. He had in vain endeavoured to reconcile these conflicting statements; and he was quite unacquainted with any circumstance which could allay the great anxiety naturally created by the late treaty between Russia and Turkey. He was afraid, that the present Ministry were in danger of running into the same error with the Duke of Wellington, when in power, and allowing the great Northern Power to obtain too fast a footing in that country. Rather than no other means should be taken to obstruct the progress of that power, he should think, that it would be advisable for this country to form an alliance with Mehemet Ali, the Pacha of Egypt, and thereby establish a barrier between Russia and our Indian possessions, to the south of the Hellespont. He thought, at all events, that a treaty of offensive and defensive alliance should be formed with the Pacha of Egypt. He wished to say a few words regarding the state of Poland. He hoped that, as it was now admitted that a violation of the Treaty of Vienna had been committed by Russia, in regard to that unhappy country, his Majesty's Government would not object to give every information regarding the interference in its behalf by this country, and would lay the documents in their possession on the subject, on the Table of the House. With regard to what was said by the mover and seconder of the Address, of the distress among the landed interest, he would observe, that some distress was to be expected as consequent on the excitement produced by the Reform Bill; but it was time now that it should be in some measure allayed. That, however, seemed not to be the case, and a large portion of the people engaged in agriculture were still sunk in misery and distress. He observed, that the mover and seconder were in some measure at variance as to the extent of the distress; the one affirming, the other denying it. He (Colonel Evans) was sorry to say, that as far as his experience went, the hon. Mover was borne out in his statement. There was great distress felt among agriculturists, and he had attributed it to two causes—first, the monopoly in the article of corn; and, secondly, the pressure of taxation on the productive industry of the people. He was borne out in his ideas of the evil effects of such taxes as pressed on productive industry by the opinion of the right hon. the Vice-president of the Board of Trade, in one of the best speeches that that right hon. Gentleman had ever made in the House, when the noble Lord, the Chancellor, and he, were on the Opposition side of the House. Those taxes remained as injurious at the present time as they were then; and he could not but regret that the right hon. Gentleman had forgotten his own stated opinions, or could not now convince his noble friend of the justice of those arguments which he then so forcibly stated, or get his noble friend to act on his opinions. With regard to the taxation which was supposed to fall exclusively on the landed interest, he found, that the right hon. Baronet, the member for Dundee, was at variance with the mover of the Address. That right hon. Baronet, after giving a long list of those articles which those who had the power of making the laws had taxed, in order to give the produce of their own lands advantage and protection, and stating that the list showed with what great zeal those who were invested by the Constitution with the power of making laws had used that power, with the view of promoting the interests of landed property, and that the object of each of the duties was, to raise the rents by preventing the fall of agricultural produce, which had the effect of injuring the labouring classes in exact proportion to the extent to which it accomplished the desired object—goes on to state—"Besides, it is to be observed, that the makers of the laws have contrived to throw the great burthen of taxation,—

first, by the selection of the taxes imposed; and, secondly, by the selection of the taxes repealed,—from off their shoulders upon the industrious classes, so that out of the 50,000,000*l.* of annual Revenue, not more than 6,000,000*l.* falls upon the property of landlords." These were not the doctrines of a visionary—they were the doctrines promulgated by one of the Aristocracy—by one, who, besides, was a man of experience and talent. The statement, therefore, made by the hon. Mover of the Address, was not borne out by all persons even of his own class. Then, with regard to the two or three millions saved by the present Ministry, he would say, that though he did not undervalue such savings, and the exertions of those who made them, still he was satisfied, that larger savings must be made and those taxes which press on productive industry be repealed, or it would be impossible for the nation to proceed; and he was convinced, that the removal of such taxes would be of more consequence to the prosperity of the nation, than even the direct reduction of taxation. He had observed, that, in the course of the many speeches made by friends of Government during the recess of Parliament, and also in some pamphlets published, occasion was taken to charge persons with a wish to increase the public wish for Reform, and even with a desire to accelerate Reform to a dangerous degree. He was not liable to that charge. He looked to the different members of the Administration with respect, and he knew them to be possessed of talent and vigilance; but now he had to look to them, not in their individual capacities, but collectively as a Cabinet; and he could not but say, that in that capacity, both the Reformed Ministry and the Reformed Parliament had disappointed the country; and he was not by any means disposed to accelerate the Ministry in the progress of such measures as they had brought forward. When he recollected, that the present Ministers obtained their popularity with the nation by their liberal opinions—when he recollected that many of them had declared themselves favourable to short Parliaments, though now they had decided in favour of septennial Parliaments—when he recollected that some members of the Cabinet eloquently declaimed against a large standing army during a time of peace, and yet retained a still larger army than their unpopular predecessors, and kept 33,000 men in the Colonies, which no power on earth could venture to attack—when he recollected the acts of the much-calumniated Tories towards Ireland, and then looked to the conduct of the present Administration to that country, where the army was now larger, and the Government harsher than ever—and when he recollected that by that Clause of the Reform Bill, which required the payment of King's and parochial taxes, before a voter could be registered, the number of the constituents throughout the kingdom, which was to have been increased to 1,000,000, was, by that restrictive clause, which was introduced contrary to the wishes of a large proportion of that House, reduced to scarcely 500,000,—when he recollected their one great pledge of strict economy, and yet found that by their acts they had added twenty-five millions to the public debt, in consequence of their extraordinary measure of last Session,—he could have no reasonable expectations of better measures from them; and he could not, therefore, but regret the part he took during the excitement on the subject of the Reform Bill,—the part to keep up that excitement, and keep them in possession of power. He had other reasons to be dissatisfied with the Ministers; he saw seated in that House no less than 100 placemen, pensioners, and sinecurists,—he saw a very inadequate reduction in the Pension-list,—(he saw, but he would not pursue the ungrateful topics), except to add, that the conduct of the Ministers had much disappointed the just expectations of the people.

Mr. *Hume* said, it was not his intention to follow the example of the mover of the Address in the course he had pursued in addressing the House. He considered, that the duty which they had that night to perform was, to look at those measures which they could gather it to be his Majesty's Ministers' intention to bring forward in the course of the Session. They were to look to the Speech delivered by his Majesty that day from the Throne, and from it to judge what were the intentions of Ministers. If the Ministers had, with the Reformed Parliament, carried into execution a proposition which they themselves made while they were in opposition—that of printing the Speech, and circulating it among the Members twenty-four hours before it came to be discussed,—then the Members would be able to do themselves and the country justice. But it was impossible for any man, however good his memory and ready his capacity, to deliberate at once on all the important topics introduced into that Speech, and to return an answer upon them. We boasted of the superiority of our Constitution to that of France, and that they copied their institutions from ours. But did they follow our bad example in this? No. After the king of the French had delivered his speech, the deputies met to discuss every part of the speech point by point. He remembered when the hon. Baronet, the member for Westminster, moved as an amendment, that the discussion on the Address should be postponed until the Members had time to deliberate, and he very much doubted if all present did not concur in the propriety of that course. In the unreformed Parliament, that Amendment was not agreed to, but he hoped that it would be different in the Reformed Parliament. The people expected and looked for such a change; and he hoped, therefore, that they should not be placed in such a situation as to be obliged to agree to an Address without considering whether the measures it recommended were right or wrong. He was glad to see the hon. Baronet to whom he alluded (Sir F. Burdett) in his place, because he felt confident of having his assistance if he were to propose an Amendment with a view to get the House to follow the course he proposed. It was owing to this want of deliberation that the country could not know what the opinion of the House might be on the different measures recommended in the Speech. If he had an Amendment to move to any part of the Address, he might be asked why he did not consult with other Members before he brought it forward; but the plain answer was, that he had not time to consult with any one. He, therefore, did hope that he should not appeal in vain to the Government, when he asked that the House might not in future be compelled to agree to an Address, which was a mere echo of his Majesty's Speech, until they had had more time to consider it. He felt bound, however, in candour, to say, that the speeches of the mover and seconder were most satisfactory. There was not one word in either of them, with the exception perhaps of what was said by one regarding the Corn-laws, that called for animadversion. On the contrary, while they pointed out and brought into strong relief those parts of the Speech which were to be approved of, they carefully avoided saying anything of those which were of a doubtful nature, some of which he believed they would, if noticed, not have approved. But much was omitted in the Speech of which he, and he believed the House had expected to hear. For instance, the hon. member for Hampshire had stated that education had made little progress among the people, and that it was necessary to show them their true interests. But unfortunately there was not the slightest notice taken of the subject of national education in his Majesty's Speech, nor, indeed, had there been any notice taken of the subject at all by the present Government, excepting to vote the pitiful sum of 20,000*l.* towards that object, and that without notice, at the very end of last Session. Was it to be expected that there should not be one word on the subject of national education in the Speech, and that a Speech issuing from a Ministry, one Member at least of which had national education as his theme on every occasion, day and night, and was thought by many, to be indebted for much of his power to his zeal in that good cause. It would be well if the liberal Government of England would take example of despotic Prussia, and imitate what that Government had done to improve the condition and knowledge of its subjects. He objected, however, to the money for the purpose being taken out of the pockets of the people, when there were millions in the country applicable to that object misapplied. It would be well to take example by Belgium and France, which made provision for applying all the money left for the purposes of education to its proper object. But here it was difficult—the relations of great families swallowed up the funds intended for education. He was assured by the hon. member for Colchester, that there were two millions of money in this country applicable to the purposes of education, and he must say, that the Government had done wrong in losing this opportunity of bringing the subject forward. But not a word on this subject appeared in the Speech from the Throne, and yet in these liberal times, too, when we were endeavouring to put an end to slavery in the colonies, we permitted a state of slavery of the worst description—we allowed mental slavery. He must say that the Government had much surprised him by its silence on this subject. Another point which the hon. Mover alluded to, was the reduction of taxation; and he took the allusion as a hint to the Ministry, that the subject ought to have been mentioned, and for that he thanked the hon. Mover; for there was not one word said in the Speech of the reduction of taxation. There was not one word said of any intended relief to the people. There was, to be sure, much said of our relations with Portugal—of the affairs of Spain, and our young ally, the queen of Spain; but not one word of amelioration or relief to tax-eaten England. Surely the country had a right to expect some advantage from the long continued peace which it had enjoyed; but what was the use of peace, if war establishments were to be kept up? His hon. friend had expressed his hope that slavery would speedily be abolished. But he would ask whether the Colonial Assemblies had, by any act of theirs given a sufficient proof of their anxiety to mature the plan of his Majesty's Government? Whether that measure was, or was not, a beneficial one, was not now the question, but he for one must protest against the hasty and inconsiderate manner in which it was carried into effect. As far as matters had hitherto gone, he feared that those who were most sanguine in their expectations had not been borne out in their anticipations on the subject. When they were told in his Majesty's Speech that the state of the revenue would be found favourable, it surely was not too much to expect, on behalf of the people, that they were to be relieved from a portion, at least, of those burthens by which they had been so long and so grievously pressed down. The noble Lord opposite was pledged as a man of honour to make a reduction, particularly with reference to the taxes on houses and windows. Surely, when the revenue was described to be in a flourishing state, it was not too much that some alleviation of the weight of taxation under which the country laboured should take place. But no, such was not to be the case. Ministers, on the contrary, came forward, and all but told the people of England that no such reduction was to take place; that they were determined not to yield to the wants or wishes of the nation, unless compelled to do so. But he did not blame the noble Lord (the Chancellor of the Exchequer) for this, so much as he blamed the Members of that House, who as Representatives of the people, the moment they received the instructions of their constituents, were bound to enforce such reduction upon his Majesty's Ministers, and thus compel them to fulfil the promises held out to the public. He felt much pleasure at hearing that the manufacturing interests were in a prosperous state, and the manner in which that announcement was made by his hon. friend went to show that every portion of our national industry and resources must thrive in proportion to the extent to which the shackles which clogged them were removed. If, then, there was any branch of our commerce more shackled than another, it was the corn-trade, which was, in fact, a direct monopoly—a monopoly, too, most injurious to those whose interests it was meant to protect. For sure he was, that that, like any other branch of industry, would thrive in proportion to the extent to which the difficulties by which it was surrounded were removed. The other branches of our industry rose superior to the obstructions which were still imposed upon them; and if the corn-trade had but a fair chance, it would be found that the interests of the growers and landowners would be better promoted than they were at present. He entreated the attention of all who heard him to the observations of the seconder of the Address, who said, with great truth, that the monopoly of corn was a great injury to every class of society in the State, without being of advantage to those for whose benefit it was kept up—namely, the landholders. He would not enter into the question of the several local burthens which had been alluded to by the mover of the Address; nor to the sum of 1,280,000*l.*, which he spoke of as an exclusive burthen upon the landed interest. He would be ready to show, at the proper time, that the landholders were not subjected to any exclusive burthens but such as were laid upon them by laws made by themselves, and for their own benefit; but if it could be made to appear, that the landed interest was unfairly subjected to any tax, he would willingly lend his aid to rid them of it, and to place them on the same footing with every other class of his Majesty's subjects. He thought, then, that he had a right to expect that the landholders would join him in obtaining relief to the country of the taxes which pressed so heavily on the commercial and manufacturing interests. He felt convinced, that partial Acts for the protection of individual interests did not benefit the classes intended to be benefited, while they injured the country generally; and he was sure that if anything tended to keep down the value of agricultural property, it was the uncertainty belonging to that species of property; for every one felt that it was impossible that things could remain as they were at present. He had wished then, and hoped that the Government should have met the question of the Corn-laws fairly and boldly. To show how inexpedient monopolies were, he would only mention the case of the bounties given to the linen-trade of Ireland. He was one of only twenty-eight who opposed that measure in Parliament, yet those engaged in the trade came forward some time afterwards and petitioned for its repeal. He had no idea that the depreciation of agricultural property, in case of the Repeal of the Corn-laws, would be by any means great. Certainly not one-half what was expected. A free trade in corn would place us on a footing with those countries with which we came into mercantile competition, and, in consequence, it would open a field of prosperity both to this country itself and to Ireland; which would raise and improve not only the manufacturing interests, but the agricultural interests of the whole kingdom. The time would, however, come soon, when the subject must be taken into serious consideration, and when something definite would necessarily be determined on. There was another omission in the King's Speech, of which they had cause to complain. It was not stated whether there was any intention on the part of the Government to improve the working of the Reform Bill. He thought it was now time to make the requisite improvements. The Government was bound to complete that measure on the principles laid down by themselves. It was evident, and indeed acknowledged, that it did not work as it was originally proposed; and he thought, therefore, that they were bound to make it work according to the principles on which it was proposed and supported by the people, or, at least, according to their own understandings of how it should work. He thought the subject of Reform an omission of great importance in the Speech, as well as that of National Education and Church Reform. The noble Lord opposite (the Chancellor of the Exchequer) and the noble Lord, the Paymaster of the Forces, and other hon. and right hon. Members near them had, both in and out of office, been most lavish of their promises and their exertions upon these points; but, once in office, they gave the promises, but nothing more. The House would bear in mind his Majesty's Speech upon opening the Parliament of 1833; and that, too, be it remembered, the first sitting of the first Reformed Parliament. Upon that occasion his Majesty was made to say, "Your attention will also be directed to the state of the Church, more particularly as regards its temporalities and the maintenance of the clergy. The complaints which have arisen from the collection of tithes, appear to require a change of system, which, without diminishing the means of maintaining the Established Clergy in respectability and usefulness, may prevent the collision of interests, and the consequent disagreements and dissatisfaction which have too frequently prevailed between the ministers of the Church and their parishioners. It may also be necessary for you to consider what remedies may be applied for the correction of acknowledged abuses, and whether the revenues of the Church may not admit of a more equitable and judicious distribution." Now, would the House recollect what was done by the Government upon this recommendation by his Majesty? They introduced the Tithe Commutation Bill, but the Session ended, and not an Act was passed regarding tithes; and in the Speech made from the Throne at the end of the Session, not one word was said on the subject; so that all they had was this abortion of a Reform in the Church. The people were absolutely laughing at this attempt to humbug the country—if he might be permitted so to express himself. But was this a state of things which could be expected to last? Were they thus to stand quietly looking on, and that, too, when the storm was approaching, and no one could tell how suddenly it might burst over their heads. Let his Majesty's Ministers profit by what was passing around, and remedy those crying abuses while it was yet time. He was willing to give the noble Lord (the Chancellor of the Exchequer) credit for his assertions upon the subject of Church Reform, but how far could they be depended upon, when it was found that while pluralities were openly denounced in that House on the one hand, the noble Lord at the head of the Treasury was dealing them out with no very sparing hand on the other. Here they had promises on the one side, and the most gratuitous violation of them on the other. Let the noble Lord but place on the Table an account of the number of pluralities granted since the King's Speech last year, and the House would be able to come to a pretty accurate conclusion as to the value of the promises and expectations so freely held out to the public. The Session went on without any attempt to put this system down, and now they were at the opening of a new Session, with this difference, certainly, that, in the present instance they had no promise—of course no hope of performance. Little did the noble Lords who composed his Majesty's Ministry know what was passing in the public mind upon this vital and all-important question; little were they acquainted with what was matter of every-day experience with him at public meetings upon the necessity of Church Reform. But he would caution Ministers to look about them. He would advise them to attend to the warning voice from Nottingham, and "set their House in order," before they drove the people of England to rise as one man, and demand that which had hitherto been promised to them, but promised in vain. Let this sad extremity be avoided—let Ministers consent to do, with respect to the Church of England, that which they have proposed with respect to the Church of Ireland. It had been boasted that the Roman Catholics of Ireland were relieved from paying the Church-rate. He objected not to this—he thought it only just and reasonable—but why, he would ask, was not the Protestant Dissenter in this country entitled to be placed in the same situation? It had been urged by the noble Lord that these impositions in Ireland were exceedingly unpopular, and that their unpopularity formed a good ground for their repeal. But would the noble Lord venture to assert, that the Church-rate was popular in this country? There was again the all-absorbing question of tithes, which was not even touched upon in the King's Speech—he meant with reference to this country. He thought, that Ministers were in duty bound to have afforded his Majesty the opportunity of stating to Parliament and to his people that the Dissenters were to be relieved from the vexatious exaction of the Church-rate, and that capital might be applied to land altogether free and unshackled, so that improvements in agriculture might have their full scope and operation. Let them look abroad, and they would find that other countries, which were called barbarous, compared to this "free and happy land," had one and all established a Reform upon this all-important subject; and all that was held out to that House was, that Reports would be laid before them, in order that the House might "be enabled to judge of the nature and extent of any existing defects and abuses, and in what manner the necessary corrections may in due season, be safely and beneficially applied." Now, would the noble Lord be so good as to explain to him what was meant by "due season?" With some persons it might be a month, with others a year, while with others again it might extend over a period of many years. In a word any interpretation whatever might be given to these words or any other words so indefinitely put. Witness the interpretation put by Prussia and Austria upon the Treaty of Vienna. It was to prevent this that he would, before he sat down, read to the House an Amendment which he considered it the duty of the House to adopt, if it were only in compliance with the opening Speech of his Majesty to the first Reformed Parliament—a Parliament which carried the Irish Coercion Bill, a measure of more severity than any which an unreformed Parliament had ventured to propose — a measure by which the people might be flogged and dragooned at the mercy of the Government or its minions. And, after this, Ministers came down to the House with a Speech which literally meant nothing, except, indeed, they looked to the denunciation of a single individual all but by name. He thought, that Ministers ought to have held their heads higher, and not thus have elevated him into a notoriety which he could not otherwise attain. But

"Little things are great to little men;"

and so he supposed that Daniel O'Connell was to be created a sort of King of Ireland, and pointed out as the chief agitator of that country. If his Majesty's

Ministers wished to pacify Ireland they must remove the manifold evils under which she laboured. Great as was the generosity of the people, much as their forbearance was to be admired, was it to be expected, that such a state of thing as the present could be allowed to go on? Could it be permitted that Ministers should be thus allowed to violate the fair promises so long held out to the people, and so shamefully abandoned? He would contend, from the manner in which these matters had been left out of the present Speech, and that, too, after the expectations held out in the Speech of last year, he was justified in coming to the conclusion, that Ministers had not the courage to look the dangers with which they were surrounded in the face. On this ground it was, that he felt called upon to add a few sentences to the Address, in order to pledge the House to a specific line of conduct, and he called upon every hon. Member who supported the question of Reform to stand by him upon this occasion, as his object was, in effect, to strengthen the hands of Ministers, and enable them to redeem the pledges which they had given to the country. After it had been acknowledged on all hands that there had been dissensions and difficulties in the Cabinet, after Bills had been made and unmade, he (Mr. Hume) would call on the House to strengthen the hands of Ministers against any improper influence that might exist behind the Throne. Before he sat down he would propose, as an Amendment to the Address to his Majesty in answer to his Speech from the Throne, after the words "Ecclesiastical Revenues"—"That this House will take into its immediate and serious consideration the state of the Church, as regards its temporalities and the maintenance of the Clergy, in order to remove the complaints which have arisen from the collection of tithes and Church-rates, with a view to such a change of system as shall give effectual relief, not only to the members of the Established Church itself, but especially to persons who conscientiously dissent therefrom, so as to carry into full effect the spirit of his Majesty's most gracious recommendation at the opening of the first Session of the present Parliament." The conduct of his Majesty's Ministers, as well as of the Members of that House, after the Speech from the Throne last year, was, in fact, an insult to his Majesty, whose most gracious recommendation as to an inquiry, with a view to the introduction of Church Reform, it was their duty to have carried into execution. Ministers had grossly deserted their duty on that occasion. Had he been guilty of similar inconsistency, he wondered when he should have heard the last of it. His hon. friend had stated, that Ministers had the power, and he doubted not they had the wish, to enact such measures as they deemed essential to the public interests. It certainly was true, that they had the power: no set of men had commanded larger majorities while in office, more particularly upon the great question of Parliamentary Reform, and now, after having achieved that great victory, were they to disappoint the hopes and wishes of the people upon those all-important questions, with repect to which their hopes had been raised to the highest? If hon. Members were only determined to do their duty, Ministers would be obliged to do theirs, instead of coming down to Parliament with this namby-pamby Speech, which meant nothing at all. If Ministers were to continue such a line of conduct as this, who, then, he would ask, ought to be looked upon as the agitators not merely of Ireland, but of this country, by refusing to realise the pledges they had so often held out? They were told, that the industry of the country was in a thriving state; but let a course of policy, such as that he had been condemning, be established, and they would soon have the converse of the principle; industry would diminish, want would increase, and discontent and disaffection would go hand in hand. They were told, that we were in a time of peace, and had every prospect of its continuance. He rejoiced at it, but surely at such a period they had a right to expect the practical benefits arising out of such a state of things. If, as had been stated, the amount of the revenue, as compared with the expenditure, would be found satisfactory, it certainly was not too much on the part of the people to expect, not only a reduction of our establishment, but a reduction of that weight of taxation by which they had been so long and so severely pressed down. The hon. Member concluded by moving his Amendment to the fourth paragraph of the Address.

Mr. Warburton seconded the Motion.

Lord *Althorp*, after the speech of the

hon. member for Middlesex, felt himself called upon to address a few words to the House. After every part of the conduct of his Majesty's Government had been so fiercely assailed, he should ill discharge the duty he owed to the House and to his colleagues, did he not attempt a justification of that which to his mind appeared perfectly justifiable. He should, in the first place, apply himself to the accusation that they proposed nothing in the way of reduction of taxation, and the gratuitous assumption founded upon that circumstance; namely, that they intended to do nothing in the way of reduction. It was rather hard to condemn them without a shadow of cause. So far from the hon. member for Middlesex being justified in the charge he had brought, he could inform the House, that it was the intention of his Majesty's Government to propose a reduction of taxes; but it would have been unprecedented to have intimated such an intention in a Speech from the Throne. It was with great satisfaction he found himself enabled to state, that such was the condition of the revenue, that fiscal reductions might be made without detriment to the public service. It did afford him sincere satisfaction to be able to state, that notwithstanding the expense to which the country was put by carrying into operation the Slavery Abolition Bill, it would still be in the power of the Government to propose such reductions as would satisfy, not, perhaps, the hon. member for Middlesex; that he could not hope for; but, as he trusted would satisfy the great majority of the Members of that House, and the great majority of the people out of doors. He wished to learn upon what authority it was, that the hon. member for Middlesex affirmed, that they were to have no reduction because there had been no announcement on the subject in the Speech from the Throne? There was no instance, as far as he had been able to ascertain, in which a specific announcement was made from the Throne of the repeal of a tax; and as it would be a breach of privilege for the Crown to recommend the imposition of any tax, so it would be inconsistent with the rights of the Commons of England, were the Crown to dictate in what manner the House should deal with existing burthens. The hon. Gentleman opposite had complained, that the pledges of Ministers given at the opening of the last Session had not been redeemed; he begged the House to remember how their time had been occupied throughout the whole of the last Session, and with how much difficulty Ministers had carried through even the measures which they could now refer to with some degree of honest pride. Having the example of that Session before their eyes, they were naturally not very sanguine as to what might be accomplished in the present, and were somewhat cautious as to what they might promise. Remembering the difficulties which the manner of doing business in that House last year had interposed to the accomplishment of all which his Majesty's Government desired, he felt that it behoved them to take care how they again placed themselves in a similar situation; but he had not the slightest hesitation in saying, that he did expect the question of tithes would this year be satisfactorily disposed of. Last year he certainly had brought under consideration a measure on that subject, but, in the course of its discussion, he had reason to think that it might be improved; he had, therefore, given it up for the present; but, in the interval of the vacation, he had applied himself to the subject, and he hoped, at an early period of the Session, to propose such a measure as would be acceptable to the House and beneficial to the country. The hon. member for Middlesex had complained, that nothing was proposed in his Majesty's Speech with respect to the Dissenters; but had the hon. Member so soon forgotten that he had, in the early part of the evening, informed the House, that his noble friend, the Paymaster of the Forces, intended to give notice of a bill to regulate marriages generally, and of course to include and to remedy those matters of which the Dissenters complained? Another point on which great stress had been laid, was the phrase "in due season." What did that mean, was the great question urged by the hon. member for Middlesex? It just meant this, that when information was before the House, that and none other would be the "due season" in which to legislate. As to the other topics which the Amendment embraced, he did not think it necessary to trouble the House at any length; and as to the reform in the municipal corporations, to which his Majesty's Speech referred, he thought it equally unnecessary to vindicate the conduct of the Administration. They had promised the correction of Municipal abuses, of Ecclesiastical abuses, of an alteration in the Poor-laws; and what more could the hon. Member desire? He would desire, perhaps, more of the specific statement contained in his Majesty's Speech of last Session, but the experience of the past year had taught the Ministers the advantage of falling back upon the old usage of not being so specific in speeches from the Throne as some Members seemed to desire. The best proof how much the manner of doing business interfered with its despatch, was to be found in the fact, that 134 notices stood upon their books from last Session. He hoped, then, that the Amendment would not be pressed, or if it were, the House would not agree to adopt it, for it would have been, under present circumstances, not justifiable for the Government to have been more specific. Having said so much, he found it impossible to conclude, without bearing testimony to the manner in which the Address had been moved and seconded. He had never heard a motion of that nature brought forward with more ability, and he was sure the House would agree with him, that much useful information had been communicated to the House by the speech of the seconder. Before he concluded, he thought it right to advert to the observation of the member for Middlesex, that they ought to treat with contempt the disturbances in Ireland, and the state of political feeling in that country; to that opinion he could not bring himself to subscribe; the feeling with which they must regard the state of that part of the United Kingdom must be any thing but contempt. Upon all those grounds he should feel it his duty to oppose the Amendment; and he trusted that it was not such as the House would adopt, for the affirmation of any such propositions as were contained in the Amendment would imply such a censure upon the policy of the Government as he was sure would be at variance with the true feelings of the House.

Mr. *Robinson* observed, that he had heard the statement of the hon. Seconder (the member for Ipswich) concerning the prosperity of the manufactures, commerce, and trade of the country, with considerable astonishment; and he hoped the House would bear with him for a very few minutes, while he ventured upon an explanation which appeared necessary by the declarations of the hon. member for Ipswich. The hon. Mover had represented, as had the Speech from the Throne, the agricultural interest as in a depressed condition, and the hon. Member had supported his statement by a reference to the fact, that the capital employed in agriculture yielded little or no profit. Now, he asked the House to apply the same test to the capital employed in manufactures, commerce, and trade; and if that were done, all the figures adduced by the hon. Member would be valueless. Those calculations had been again and again brought before the House; and if they could have decided the fact of national prosperity, it would have been set at rest long ago. According to them the country was one of the most prosperous on the face of the earth. He had no wish to find fault with the conduct of Ministers; on the contrary, he had every disposition to repose confidence both in their intentions and in their conduct; but he regretted, that the noble Lord (the Chancellor of the Exchequer) had so long delayed sanctioning the appointment of the Committees on agriculture, and on manufactures, commerce, trade, and shipping. He believed the bias of the Government was to show that agriculture was in a depressed and unsatisfactory condition, and to make it appear that manufactures, commerce, trade, and shipping were in a prosperous state. Such were, he considered, the wishes of Ministers; and, without meaning to say that the Committees were unfairly or partially chosen, he certainly thought that they were constituted so as to favour the views of the Government. But, although that course had been taken, the weight of evidence was not on that side; and he was surprised to hear the hon. member for Ipswich ask if any one would venture to say that his statement, as to the prosperity of manufactures, commerce, and trade, was not fully supported by the result of the inquiries made by the Committee. He had sat on that Committee day after day with the hon. Member, and surely the hon. Member would not attempt to say, that a great difference of opinion existed. He was sorry that this topic had been introduced. In as far as his experience went, it had always been the practice of the mover and seconder of the Address to advert, if possible, to nothing likely to provoke opposition; for it was extremely desirable that, on such an occasion, unanimity should prevail, and that the Address to the Crown should be adopted without the least dissent. After the statement of the hon. member for Ipswich, however, some explanation became necessary, and having been one of the Committee, and entertaining different opinions from the hon. Member, he could not continue silent. When the state of the country was adverted to last Session, he had declared that there was much exaggeration, but he also stated his conviction, that there was considerable depression. That view was borne out by the result of the inquiries. They were not indeed complete, which he regretted; but the lateness of the period at which the Committee was appointed had precluded the possibility of completing them. He did not complain of the abrupt termination of the labours of the Committee; but when the hon. member for Ipswich said, that no difference of opinion existed as to manufactures, trade, and commerce being in a state of prosperity, he would remind the hon. Member of the Resolutions which had been brought forward by the Vice-President of the Board of Trade. He spoke in the presence of that right hon. Gentleman, and of other hon. Members well acquainted with all that occurred; and he appealed to them to set him right if he was mistaken. The Vice-President of the Board of Trade proposed a series of Resolutions embodying the view now taken by the hon. member for Ipswich; but many Members of the Committee dissented from those Resolutions; and when the right hon. Gentleman pressed them, it became evident that a majority would refuse to adopt them. He did not mean to say, that several of that majority did not dissent so much from the principles put forth in the Resolutions, as from the adoption of them before the inquiry was properly complete; but he did assert, that the Resolutions were rejected, that a great difference of opinion did exist, and that the majority of the Committee preferred reporting the evidence simply and without remark, to agreeing to the propositions proposed by the Vice-President of the Board of Trade and now in substance stated to the House by the hon. member for Ipswich. Having thus given the explanation which he deemed necessary with respect to the statements so positively put forth respecting the flourishing condition of manufactures, commerce, and trade, he would only detain the House while he alluded to one other point; he meant the shipping interest. He was extremely sorry when the noble Lord (the Chancellor of the Exchequer) last Session showed so much reluctance to grant an inquiry into that subject; and he was still more sorry to see no mention of that great interest in his Majesty's Speech. Its vast importance entitled it to very different treatment. Judging from the language of the King's Speech, it would appear, that the shipping interest was deemed so insignificant as to be merged in the general phrase, the commerce of the country. There were times when far different views were entertained and cherished; when the shipping interest of this country was regarded with the deepest interest; not, perhaps, so much from the capital employed, as from the high interests, the honour, independence, and safety of the country, which were in so great a degree involved in the maintenance of its maritime power. He would ask the hon. member for Ipswich if there was any difference of opinion in the Committee upon the evidence adduced as to the state of the shipping interest? If his memory served him faithfully, there was but one witness who did not describe the state of the shipping interest as most distressed, and declare, that he saw no prospect of improvement. He had felt it right to make these explanations, and would not detain the House by going into any other topics. His wish was to see the Address adopted with unanimity. He entertained a sincere desire to support his Majesty's Ministers in all purposes of economy and retrenchment; but he owed it to them candidly to state, that if they shrunk from a full inquiry into the whole subject of the Corn-laws, the country would be grievously disappointed. From the observations of the noble Lord (Althorp) he had some apprehensions as to the course the Government intended to pursue, but he trusted they would consider the whole matter well. He would not give any opinion with respect to the Corn-laws, but the subject was one which the country required should undergo investigation. In supporting the Address, he did so with a perfect understanding that the proceeding was more a matter of form than anything else. He pledged himself to no ulterior proceedings whatever; but, on the contrary, he should feel himself at perfect liberty to consider every question which might come before them, as freely as though no Address had been voted.

Mr. *Henry Grattan* said: It is impossible to agree to the Address, not only on account of what it says, but what it omits to say. There is no relief promised—there is a very indistinct and unintelligible statement as to tithes—and there are portentous threats, angry language, and ominous expressions of renewed coercion. It might be supposed that the Act of last year, its violence in the outset—its failure in the operation—would have been sufficient to stop them. We told the House it would fail; we told the Ministers, that in order to put down a few disturbers of the peace in the Queen's County, and the adjacent ones, it was not necessary to suspend the Constitution. The measure had nothing on which to operate; the people became quiet from other causes. The repetition of a tithe law, and the Million Bill—these, and not the Coercion Bill, appeased the people. Still there is much disquiet, much agitation; and the Minister comes forward again, and, in another Speech, fulminates from the Throne denunciations against the people. I ask, what Minister dictated the words his Majesty has just used? Who was audacious enough to suggest them, and weak enough to advise their adoption? Who is the junior Minister, who, in the excess of his imprudence, superseding the senior and sober Members, invades the office of Prime Minister, and forces the introduction of the expressions that have fallen from the King? Are the Ministers aware of what is said when they make the King declare that his Irish subjects have drawn down upon themselves his "just indignation"—that our Royal master is indignant with his people, and that his anger is not only great but "just?" His faithful subjects in Ireland have now to dread the consequences that are attendant upon his just indignation; and this from the father of his people! Sir, in all the Royal Speeches I have read, no such expressions as these occur—not at the period of 1782, not of 1792—not at the period of 1775. His Majesty then expressed his regret and concern at the conduct of the colonies; it was not until they resorted to force that he indulged the plenitude of his wrath. His Majesty speaks of disaffection to the State. Sir, I assert, that his Irish subjects are not disaffected; the King has been misinformed; there exists no disaffection in Ireland. His Secretary for Ireland will not say it—the Lord-Lieutenant will not say it—both are well disposed to serve Ireland. His Excellency possesses national and liberal feelings, and the Secretary friendly dispositions; and neither of them will vouch for the calumny which is here cast upon Ireland. I repeat, that this statement is a foul calumny, and a gross libel upon the people of Ireland. There exists dissatisfaction, and there must exist dissatisfaction! How could it be otherwise, after all the irritation produced by the violent and the abortive bills of the late Secretary! His red box and his false information—the adoption by Government of anonymous evidence against the testimony of most respected persons (Sir P. Bellew, for instance, and others)—the adoption by this House of measures founded on that interested testimony, police reports, and magisterial negligence—the total failure of the tithe plans—the gross injustice of the compulsory tithe-composition—the impotence of the Church Bill, and the abandonment of the best part of it—these, naturally dissatisfy and agitate the country. And, in proof of all these failures, they are confirmed by the recall of the Secretary for Ireland, on account of his manifest inability to direct her affairs. These gross mistakes naturally dissatisfy—they ought, they must, and they will dissatisfy. But are there no other causes? When his Majesty is made to speak of his just indignation, may I ask, with due submission, whether the crying distress of his Irish subjects has excited his just indignation? Has the emigration of her principal nobility and gentry and increased absenteeism—has the abandonment of the relations and moral ties that ought to exist between the upper and lower classes—have these unfeeling refugees, termed, as they have been, by high authority, as the "base betrayers and deserters of their native land"—have they excited his Majesty's just indignation?—or has the complaint of want of employment, want of trade, want of manufactures—(a state which an Irish Chancellor of the Exchequer declared was that of a "beggared gentry and a ruined peasantry")—has this state of things excited the just indignation of his Majesty? Is the King never angry but when the Irish seek for liberty and for employment?—and is he satisfied or silent when they starve for want of bread? And this, too, from the father of his people! Far better would it have been if the Minister had allowed his Royal master to indulge in the feelings congenial to his heart, and have held forth offers of relief that were suited to the wants and wishes of his subjects. But the object of this is clear. The Coercion Bill last year was to put down repeal. It has failed. This Speech has the same object, and it will equally fail. You think that question depends on the working of one or two individuals—you are mistaken. If my hon. friend, the member for Dublin, were to fall, the question would survive him. It lives not in his efforts alone—neither does it depend on his efforts alone. It lives in the state of things in Ireland. It derives its birth from that unnatural, disjointed, and distressed frame of society, that finds no parallel in any age or any country, or is to be met with in the annals of modern or ancient story—of millions of people whose land is in the proprietorship of persons who abscond from their country, sweeping away their capital, and leaving the country without an aristocracy, and with a starving population; nay more, as if Providence meant to punish the rulers for their misgovernment, and make our state ludicrous as well as wretched, we find the poor man, who follows from his country the rich possessor in order to obtain in your land the labour he cannot find in his own, repulsed from your shores. The rich man is allowed to stay, but the poor, or, as the law terms him, the Irish vagrant, is driven from the rich man's gate, and sent back to his wilds and his mendicity. And yet there is something worse—the cry is not merely raised against him, but even against the produce of his country and his industry; for we find, not only in the late writings, but from the witnesses and the evidence of the reports of the Committee of Agriculture, that loud complaints are made now in England of the influx of Irish corn and Irish cattle, as lowering British prices, and rendering the farmer here unable to meet the demand for rent and other charges. I only will allude to your reports; and I forbear from indulging in the natural feeling that every honest mind must entertain at such a system and such injustice, with regard to the real causes of agitation. I will refer to the report of surgeon White and Dr. Stoker on the state of Dublin. Mr. White was secretary to a committee at the period of distress in Ireland; and he states, that in consequence of the absence of the nobility and wealthy aristocracy, the expenditure that circulated among the middling and poorer classes in Dublin has been withdrawn, and that the metropolis is in the most deplorable state. In one parish, out of a population of 23,900, there were 17,000 paupers. In the report of the Sick and Indigent Roomkeepers' Society, similar distress appeared in another and higher rank, and those who formerly used to contribute to the relief of the poor, were reduced to solicit it for themselves. The committee state, that their fellow-creatures are reduced " to the lowest ebb of human suffering, and driven by misery to the very edge of despair"—that during the last year they had relieved about 10,500 families, amounting to 37,000 persons. This is not confined to Dublin alone. The resolutions of the meetings in various parts of Ireland speak the same. In the west of Ireland, at a meeting where the Bishop of Maronia presided, the resolutions were of the same import. The law does not allow me to call him bishop, but Dr. M'Hale does not want that title here, for whether he writes, or speaks, or acts, he displays a spirit of philanthropy, and piety, and charity, united to ancient lore and the lights of modern times, that at once captivate and embellish, and do honour alike to the individual and to his sacred calling; he, too, describes the deplorable state of the west of Ireland, and the destitution of the people. The resolutions say, that 80,000 persons in his diocese eat meat but twice a year, and have scarcely potatoes enough to subsist on. The evidence before the agricultural committee is to the same effect. Mr. Lindsay, Mr. Murray, and Mr. Clendening, say that the country is not so flourishing as formerly; that the circumstances of tenant and landlord have not improved; that you may travel a whole day, and not see five men at work; that agriculture is going back, and that there is a general dispirited feeling throughout the people in the west of Ireland. The people, therefore, very naturally and very justly complain, and wish for the restoration of their parliament, as a means to recall the gentry and nobility, and to afford them food and employment. They know, that in 1814, 1816, 1817, 1822, and 1832, distress and disease existed in their country; that Ireland was asking for support from Great Britain; they seek, therefore, for a resident and local legislature, to remedy their evils, of too long continuance. The Speech says, they "demand" the Repeal. The Speech is mistaken. Their resolutions are mostly couched in proper and decorous terms.—They seek, by petition and statement, to bring the case before the House; and are they to be prevented? Do Ministers mean to declare it high treason to meet and speak upon the Repeal? The Prime Minister of the country stood by the Throne, holding in his hand the sword of state. The Speech almost tells us, that it is to be drawn from its scabbard. But, Sir, there is another statement in that Speech, of a most unconstitutional nature. His Majesty is made to say, that it is "his fixed and unalterable resolution to maintain inviolate the Act of Union!" What Minister advised this?"—or what Minister could advise a doctrine more unconstitutional?—and, coming from the gentlemen opposite, it is most surprising. They must know, that the Act of Union is but an Act of Parliament, and that it has been and can be altered. They equally know, that the King has no right or prerogative whereby he can, at the outset, declare his fixed determination for or against any measure. It is contrary to the first principles of the Constitution, and amounts to its complete infringement. If the King can thus invade our functions, the useful labours of this body are at an end. We are here only to pass such laws as he may, in the first instance, approve of; and, should his Majesty signify his displeasure, the representatives of the people must remain passive spectators, and merge their quality of legislators. They are not to propound the law, but to receive it from his Majesty. If so, we may at once go back to our constituents, and resign the trust committed to our care. I submit, this is quite unconstitutional, and foreign from the practice and the principle of our free Government. Notwithstanding all that has been thrown out, I shall not suffer myself to be enticed into argument by the lures of the mover and seconder of the Address. When the time for discussion arrives, we can enter on the subject more fully. The hon. member for Ipswich thinks, that the argument is on his side. I think that justice is on mine. He alludes to the state of Ireland as regarded manufactures, and says further, that a British Parliament would apply the remedies for the evils of that country better than an Irish one. As to the first, I must observe, that Ireland has waited rather long for the promised introduction of manufactures, and they have not arrived; and, as to those which she had, she cannot forget how and by whom she lost them. With respect to laws of another character, I also assert, that the Irish Parliament did, in a shorter time, more good for Ireland than the British Parliament ever did, not only for Ireland, but for herself; and she obtained as great acquisitions for her country, and under most difficult circumstances, as the English Parliament did at the period of the Revolution. On the main question, nothing has occurred of late to make me, and most of my fellow-countrymen, change our opinions. They are attached to Great Britain, but they require equal law and equal liberty; and unless these rights are conceded, they know that Ireland must ever be a thorn in the side of Great Britain.—"Hæret lateri lethalis arundo." In my humble judgment, you will not be able to govern Ireland by constant suspensions of her liberties; the applications are too strong to be lasting, and the disease will return in a more formidable shape. The connection should last, but it ought not to be made dependent upon force—if so, the affection will be of short duration. It is not possible that the Irish can remain satisfied with their present abandoned condition, aggravated by the deprivation of the superior blessings of a free constitution; they see you possessed of these, and under the protection of your own Parliament, and they feel themselves deprived of both these invaluable acquisitions. Therefore, it appears to me, that the old system of Irish government should not be again resorted to; it was condemned as bad both in principle and practice. It was too often heralded in by declarations and denunciations like the present—the one was futile—the others were mischievous; and ministers found themselves mistaken in thinking they would quiet the people by becoming angry. "Bellum ostendite, pacem habebitis," will, in this instance, be fatally and equally misapplied. The people of Ireland entertain no hostility towards this country, but they justly entertain an hostility to bad laws and a suspended constitution. By steadiness and perseverance they abolished the one—by steadiness and perseverance they may regain the other.

The House divided on the Amendment: Ayes, 39; Noes, 191—Majority, 152.

List of the AYES.

Attwood, T.
Blake, J. M.
Buckingham, J. S.
Bulwer, E. L.
Butler, Hon. P. S.
Chapman, M. L.
Clay, W.
Cobbett, W.
Evans, Colonel
Evans, G.
Faithfull, G.
Fielden, J.
Finn, W. F.
Fitzgerald, T.
Fitzsimon, C.
Fitzsimon, N.
Fleetwood, H.
Grattan, A.
Hutt, W.
Kennedy, J.
Nagle, Sir R.
O'Connell, D.
O'Connell, J.
O'Connell, M.
Oswald, J.
Oswald, R. A.
O'Dwyer, A. C.
Richards, J.
Ruthven, E. S.
Scholefield, J.
Sheil, R. L.
Torrens, Colonel
Vigors, N. A.
Vincent, Sir F.
Wallace, T.
Walton, Robert.
Wason, R.
Whalley, Sir S.
Wood, Alderman.

TELLERS.

Hume, J.
Warburton, H.

Mr. *Hume* then moved, after the words, in reply to that part of His Majesty's Speech in which he says, "It has been the constant aim of my policy to secure to my people the uninterrupted enjoyment of the blessings of peace," the following words be inserted: — "And this House pledges itself to cause such reductions to be made in all the civil, military, and naval expenditure of the country as shall bring home to all his Majesty's subjects, by immediate and large reductions of taxation, the practical advantages and blessings of that continued peace which, this House rejoices to learn, is not likely to be disturbed." The hon. Member stated it was not his intention to trouble the House with a second division, but merely to place his sentiments upon record.

The Amendment negatived without a division.

Mr. *O'Connell* said, he rose to adopt a course different to any pursued by the hon. Members who had preceded him. He had a motion to present, in rising to make which he could not help congratulating the House on the unusual course displayed by the mover and seconder of the Address. They had had two exceedingly noble and temperate speeches, full of information, and replete with matter, which produced admiration for the talent of the speakers, and conviction of the truth of their various statements. The holiday speech, and the schoolboy declamation, that generally re-echoed the Speech from the Throne, he was glad to see was all at an end; there was but one improvement more required, namely, the discontinuance of the tinsel dress worn by the mover and seconder. He believed that alteration would be quite satisfactory to both the hon. Members. The Speech itself was not calculated to excite any very strong feeling, at least he did not think it could cause any thing like indignation, "just indignation"—no, it would be something of a smaller, and of a less respectable character. It was about as helpless a piece of drivelling as ever fell from human lips. There was little in it, except just at the last part, where something of an acrimonious spirit was displayed. It was in every sense little worthy of the first magistrate of the first empire of the world. He found it impossible to imagine upon what principles it was formed, until he heard the noble Lord, who told them that great inconvenience was felt last Session in consequence of too much having been said, therefore the good old practice of saying as little as possible had been reverted to. There was not an ancient gentlewoman of the land who could have been more discreet and more consistent. It began with some self-gratulation, and ended in downright Billingsgate. The first part consisted of a good deal of nothing, and ended in something like a rigmarole of abuse. This was not the way to treat the Reformed Parliament—this was not the way the people, the most powerful people in the world, should be treated, or any portion of them. Let them bring forth their coercion bills, if they chose, but let them not make the Throne a fountain of unjust scorn, to be poured upon an oppressed nation. The Speech began by calling the whole of the measures of last session constitutional. Why, the Coercion Bill had been announced as unconstitutional by many members of that House, and had been allowed to be unconstitutional by many whom he saw opposite; yet that was a measure of last Session. Many members justified themselves to their constituents for their voting on that Bill, by their confidence in Ministers, and their hope that they would afterwards bring in remedial measures, which would take the sting from that unconstitutional Bill. For that purpose the Irish Church Bill had been much relied upon; but what, he would ask, was it? It had reduced the burthens on the Irish people by 70,000*l.* in church rates; but that was all it had done. Had it done any further good to the people of Ireland?—Had it in the slightest degree benefited the Irish Catholic? What, he would ask, did it benefit them, the knocking down of ten bishops—when the revenues which they formerly enjoyed were still taken from the people? It would have been better that they had been let alone, for they were Irish gentlemen who spent what they took from the people amongst the people. The people were still obliged to pay the same amount—the same tax was still levied upon them. But it was useless for him to say more—it was the old way in which Ireland had always been treated by the English Parliament. Then why, or rather how, could it excite "indignation," that the people of Ireland should demand a native legislature? This point of itself was too ridiculous to be pursued. To be sure, they had got the Jury Bill; he had not read it, ever since it had been upon the Statute Book; but he was not very sure that it had passed through the House of Lords in all its integrity. Let that be as it might, the law officers of Ireland had taken good care that it should only be a bill yet *in futuro*, for they had taken good care that the sessions at which it should have been adopted had not been held, so that the benefits, if any, could not be had till next year. Then the King's Speech said something about the integrity of Turkey—of upholding the integrity of Turkey; but how had that been done? Why, there was Mehemet Ali had cut off a large slice of it in the south, and Russia in the north, had Turkey in her power quite as much; and when the pleasure of Nicholas prompted him, he would make himself quite at home, and think he was taking nothing but his own. Had the Ministry wished to have made themselves the laughing-stock of Europe, they could not have used more appropriate words. Then they took credit to themselves for the recognition of the young Spanish queen. He should like to know what right they had to refuse it. Did they think the Spanish people were not worthy to have a choice of their own? Upon that head he could afford them no credit. Then came the two worthies who were contending for the Crown of Portugal. What they were, the world now well understood; they were only trying to get into power, in order to see which of them could render Portugal the most wretched country. For the sake of the Portuguese people themselves it was almost to be wished that neither of them should succeed. The Ministers then talked much of municipal Corporations; but would they give them real Reform in the Corporations? The Speech did not say so; but, they were half-promised it by the hon. Member who had first addressed them: or, would they do justice to England on this occasion, and as they had served Ireland before, give only a half measure of Reform?—or, as was most likely to be the case, was that country again to be insulted by having a mere mockery of Reform in her Corporations, while England was to be blessed with, though not a full one, yet a much fuller one than the sister country? From that path he cautioned them, for if they did so, though they might not disgust one faction, they would disgust the great body of the people—they would make twenty Repealers where there was now only one. They then called upon Parliament to sanction a system of tithes which would be merely substituting something else for them, and the people would be called upon to pay them in all their integrity, but under a new name. Would it be possible, he would ask, to carry such a plan into effect? He would most emphatically say, no. Tithes were found to be, in Ireland, as great a grievance as the Church-rate was in England. They were felt to be so by the people, who had to pay a large sum of money for the support of a religion to which they could not conform. The Speech did not say so. But the House might be told that night (and he threw out the insinuation in order to give the hon. Gentlemen opposite—to dare them to say, that tithes were to continue in some other shape—that they were to be levied at a much increased expense) that the people were not only to pay what they now did, but were to pay also for the experiment that was about to be made. Such had been the conduct of one right hon. Gentleman opposite. First, he came down with a most pathetic statement of the condition of the poor Protestant clergyman of Ireland; so pathetic was he upon the occasion, that he drew from the House 60,000*l.* of the public money, in order to relieve them—in order to make an experiment; and in order that he might have the means of enforcing the repayment of that money, he got for himself the whole power, not only of the Civil, but the Ecclesiastical law; and how far did he succeed? Why, out of the whole 60,000*l.*, he recovered 12,000*l.*, at the trifling cost of only 28,000*l.* That was the entire success with which the measure was crowned—it goaded the people almost to madness, and then down came his Majesty's Ministers with the Coercion Bill, which deprived the people of their most enviable rights. Then came another Tithe Bill—one which was at present just going into operation, under which the Irish Government had stopped all prosecutions for tithes, and recalled the military. In consequence of these measures the people were now quiet, because they still hoped that the Government would see the error they had committed, and grant the people relief. He, from his own experience, could say, that the persons who are now in the country, valuing the tithes, had raised them very considerably. In one parish alone, that of Grangegorman, he knew an instance wherein they had raised the tithes from 30*l.* to 72*l.* In fact, the new system was merely an aggravation of the whole evil. According to the statements put forward by hon. Gentlemen, the greatest distress prevailed among the established clergy, yet of the million which was voted for the relief of that clergy, not one-third was asked for. He (Mr. O'Connell) did not know the precise amount, but, at least, the whole was not sought for. No; notwithstanding the great distress that existed, still clergymen preferred to exact the whole tithes from a distressed people, rather than take the Treasury money. Such conduct was calculated to produce excitement in times of misery; and still there were those found to be sceptical about the cause of that excitement, as if there was some magic, some conjuring power used over the poor people of Ireland, which persuaded them that black was white—which made them think that distress existed when it did not. But, no; there was no magic—the entire magic was the oppression of the people, and the variegated system of injustice—the exhaustion of their resources, and the spending of an income out of a country where it was collected. There were some physical evils which it was impossible for his Majesty's Government to cure; but provoking language was a bad lenitive to a people's condition who were starving. The poor man's crop had failed last year. Rain had destroyed one-half of the potatoes, or, at least, one-third. Pestilence was raging through the land. The Cholera was committing its destructive ravages from town to town, and farm to farm; within these last three weeks it had killed 500 persons in the city of Limerick. With this picture of misery before them—with the Constitution suspended, and its best benefits taken from them—they were visited with "the just indignation," an indignation, which he supposed was some effusion of proud spirit, or spleen;—this was the consolation offered to an insulted people. There was no reason of complaint on the part of the Irish against Mr. Littleton — at least, the newspapers vented no obloquy, or even murmured their disapprobation of him. Without doubt, Mr. Littleton could do much to mitigate the system that prevailed; but that right hon. Gentleman had too limited a power, and he was too much controlled by those whom he should control. The Government were more in his power, than he in theirs; certainly, though they might get one to succeed him, it would be hard to get one who could carry his re-election. But the other appointments in the Government of Ireland were not equally wise. He could not carry his praise of the Government one particle further. He thought the selection of the Marquess of Wellesley unwise. Had his counsels been followed, Catholic Emancipation would never have taken place, unless accompanied by other measures. He it was who suggested, in 1825, the suppression of the Catholic Association. That recommendation was followed, and Irish Emancipation was delayed. The people of Ireland had done nothing but what they had a right to do. Would the Government dare to treat the people of England as they had treated the people of Ireland? If the people of England desired a particular measure, and met from parish to parish to petition for it, would they receive such an answer as had been given to the people of Ireland for proceeding in a similar manner? There had been no tumultuous or riotous assemblages, no enormous meetings, such as to intimidate peaceable people, or threaten a breach of order; and yet the Irish people must be prevented by taunts from exercising their constitutional rights. Oh! if the Tories in their day of power had been sagacious—if they had had the disposition of the present Government—if they had been determined to hold power, no matter what became of the Constitution, or what was called the Constitution—if they had come forward with a just indignation against the Levellers and Revolutionists of the day, who would subvert the ancient institutions of the country, destroy the value of property, and abolish the glorious privilege of nominating Members to serve in Parliament—if they had proclaimed their unalterable determination to resist all such innovations,—he knew what eloquent appeals there would have been from the Opposition benches; how the Gentlemen now on the Ministerial benches would have invoked the shades of the dead and the spirits of the living, to battle for the cause of freedom, and avert the degradation of Englishmen. Those same Gentlemen now proclaimed their unalterable determination to deny to the Irish people their just rights. But, Ireland threw their taunts in their teeth. Her people would not be worthy of the freedom they sought, if they did not treat with derision and scorn any attempt to control them in the exercise of their liberty. Let his Majesty's Government be assured, that the sentiment which he now uttered was not confined to a sect or party. If it were merely a party sentiment, it ought not to succeed. He did not hesitate to declare (and he would confirm it by an Oath, if it were not profane) that he would not accept the concession, if the object were a party one, and if it were not desired—as he was sure it was desirable—by all. The hon. member for Hampshire told the House, that the Union was a contract which was not to be violated. Did the hon. Member think it was a contract? Had he ever heard of the circumstances? He was probably born at the time of the event. It certainly was such a contract as that made by the highwayman on Hounslow-heath, who said to the traveller, "If you deliver your money, I will not shoot you." No doubt the highwayman would be guilty of a breach of contract if he shot the man. Just such a contract was the Union with Ireland. Surely we were not to have history turned to something worse than an old Almanac, by its being denied that the Legislative Union was carried by the most profligate and abominable corruption —by millions squandered in bribes; and even then it was impossible to accomplish it without throwing into the Irish House of Commons a majority of Scotch and English Officers as Representatives of the rotten boroughs. There certainly was no class whom he should less like as Legislators than those who carried the Irish Union. Did not the hon. member for Hampshire know, that when the High Sheriff of Tipperary had called a meeting of the nobility, gentry, and freeholders of the county, a detachment of military and artillery was sent down, the meeting was dispersed, and the High Sheriff narrowly escaped with his life. By such means was the Union carried. But the hon. Gentleman said, that the Union was desired by the Catholics. He wondered where the hon. Gentleman found that. He knew indeed, that an idle pamphlet, published the other day, said so: but the truth was, that however some individuals might have desired it for their own selfish interest, the people protested in the most solemn manner against it; and 999 out of every 1,000 Catholics at that day were opposed to it. The hon. member for Hampshire said, that the question was one which should be decided in that House. Undoubtedly it should; but, how was it to be brought before that House for decision if the people of Ireland did not show a strong desire on the subject. If the whole 100 Members for Ireland were returned Repealers, in that case the noble Lord himself admitted, that it would be difficult to resist the demand. He could assure the noble Lord, that in the course of five years, it was his firm conviction, upwards of eighty, perhaps ninety Repealers would be returned to that House. And why, then, should the House not discuss the question? The hon. Member asked, why he did not give a notice for such a discussion. He had given a notice, and had named the day, and in the meantime came the King's Speech, or, rather the Ministers' Speech, and forbad all discussion by its threats. His hon. friend, the member for Ipswich, told them that that House could legislate for Ireland as well as a body of Irish Gentlemen could. But, although his hon. friend might persuade himself of that, did he think he could persuade the people of Ireland of it, when he was a party to the absurd and unconstitutional species of gagging adopted in the King's Speech? His hon. friend told the House, that Ireland was in a prosperous condition; and all that his great commercial information enabled him to advance in proof of that assertion was, that there were eight flax-mills in the neighbourhood of Belfast, and that the hand-loom weavers were generally in employment. He admitted the eight flax-mills, and that the hand-loom weavers in the north were generally employed, but he denied that these were proofs of the benefit of the Union. When the hon. Gentleman talked of free trade in England, he attributed the prosperity of the country to that; but he referred the distress of Ireland to the same cause. There was a species of free trade which was useful to the millionaires, who, from their command of capital could be content with small profits. Such men might profit by free trade, while many small dealers would be annihilated by it. The reasoning of the hon. Gentleman showed that the question was one which deserved to be discussed, and that the discussion ought to take place at least without any indignation. The hon. Gentleman had talked of the Report of the Agricultural Committee. And here was an astounding anomaly. It was admitted, that the landed interest was in great distress, and that their distress was accompanied by a great degree of commercial prosperity. Could that be a wholesome state of things? or could the Ministers be reposing on a bed of roses, when it was admitted that what former Governments had considered the nerve and heart, and bone and sinew of society, was in a depressed state? This was not a time for indulging in experiments, and for making old-womanly speeches, because it had been an old woman's habit to make them before. It was also said, that the labourers were better off at present, but if Gentlemen would be at the trouble to examine, they would find that the labourers of Ireland were much worse off. That was the great grievance which most loudly called for a Repeal of the Union, and were that redressed, perhaps, a repeal of the Union might not be necessary, but which, if not redressed must end in what he should look upon with dismay and horror, a violent and bloody separation of the countries. The cause of that evil was the absenteeism and misgovernment which had prevailed for years before the noble Lord was born, and the unjust and mischievous policy which transferred the land to those who did not reside in the country. That evil had existed before the Union, but it had multiplied by centuples since, and was now daily and hourly accumulating and bringing countless mischiefs in its train. Nothing could correct absenteeism except a resident Legislature, and it would, no doubt, be one of the first Acts of a domestic Parliament to remedy that abuse. He was not replying to the arguments against a Repeal of the Union, he was merely contending that the Government had no right to declare that they would not hear those who called for it, or to calumniate persons who had no motive, or ought to have no motive, but the advantage of their country. He had now done his duty; he had protested against the Speech, and shown, he hoped, that it was unbecoming in his Majesty's Ministers to put such a Speech into the King's mouth. It would have been better for them, instead of scolding the Irish people to have promised something to the people of England. Was their Reform Bill complete? Had he not seen a most respectable gentleman returned the other day for Huddersfield, where there was a population of 19,000, and the majority was only 250? Had the people not a right to expect that the Government should increase the franchise, shorten the duration of Parliament—as they had promised when they were at the Opposition side of the House—and give them the Vote by Ballot? They held out none of these things, nor the reduction of the debt to the English people, but they consoled them by an insolent taunt against the people of Ireland, for they were so misinformed as to believe that the people of England disliked the Irish people. He was convinced that the reverse was the fact. He knew, indeed, that the poverty of Ireland pressed upon the people of England, and that the hideous system of poor laws, which was now about to be exploded, overpowered them; but he did not believe, that there was any aversion or dislike between the people of the two countries. It was not in the vain hope of shaking a Ministerial majority upon a mere Irish question, but from a determination to do his duty, that he moved, that the three last paragraphs of the Address should be omitted.

Mr. Ruthven seconded the Amendment.

Mr. *Littleton* said, that it appeared to him, that the hon. and learned Member who had just sat down had given proofs in his Speech, that he was imbued not a little with the spirit of that old woman to whom he had referred at the commencement of his harangue. He was not sufficiently enamoured of the example to follow the hon. and learned Member's course, and he should confine himself to a few temperate and brief observations in reply to some of the remarks which the hon. and learned Member had made, and to stating the opinions which he honestly and sincerely entertained upon the subjects connected with Ireland. The hon. and learned Member, as well as the hon. member for Meath, had complimented him by saying that he was animated by the kindest disposition towards Ireland. In this they had done him no more than justice, but their praises of his disposition were qualified by the dispraises which they had levelled at the noble Lord at the head of the Irish Government. From his intimate connexion with that noble Lord he could state his complete conviction that there existed not in the kingdom a man whose heart was more thoroughly Irish, or whose principles with respect to the Government of Ireland were more entirely founded on liberality and justice. The hon. and learned Gentleman had denounced some of the expressions in the King's Speech as a calumny on the people of Ireland; but he should say, that in this respect the speech of the hon. and learned Member himself was characterized by inaccuracy and misrepresentation which he would not designate as wilful. The hon. and learned Gentleman had spoken in depreciation of the Irish Church Temporalities Act of the last Session; but if his memory did not deceive him, on the first day of the last Session, when the hon. and learned Member did not know the contents of the Bill to be brought forward, he had complained that the Vestry-cess was not to be abolished; and now that it was abolished by that Act, the hon. and learned Member still depreciated that measure. With reference to the inaccuracy of the hon. and learned Gentleman, he would allude to the subject of the adjustment of tithes, where he had stated, that in nine cases out of ten the amount of the compromise had been raised by the process. It might be true, that in one-third of the cases the nominal amount might be in some proportion raised, but it ought to be borne in mind, that the amount received by the tithe-owners and the clergy had been previously beaten down by a cruel combination against the proprietors. This might not have been an intentional misrepresentation on the part of the hon. and learned Gentleman, for upon this subject the hon. and learned Gentleman evidently knew nothing. He had said, that of the million that had been granted in the last year not more than one-third had been demanded. He could only say, from what had passed before the Privy Council, that the amount of 900,000*l.* had been demanded. There were about 3,000 parishes in Ireland, and the schedules and memorials amounted to 2,489. Some parishes, however, had more than one claim, and therefore it was probable that not more than one-half of the parishes had sent in their claims. From the north there had been very few, and they had come in only from those places where, from experience, the owners had reason to anticipate a resistance to their claims. The schedules were in course of adjudication, and the payment of the money would probably begin in the ensuing week. The hon. and learned Member had adverted to what might be the final adjustment of tithes, but the House was aware, that he had already given notice, that on the 20th of the month he would call the attention of the House to the subject. It was not at present necessary for him to say more than that the question was surrounded by difficulties of the greatest magnitude; but the exigencies which urged an adjustment of the question were so pressing, that if some measure or other were not consummated in the present Session, he should consider that the condition of Ireland in the course of the ensuing winter would be desperate indeed. As the question would be brought forward so soon, he would implore all Gentlemen connected with Ireland, to whatever party, principles, or prejudices, they might be attached, to approach the consideration of it with moderation, temper, and firmness, and to be prepared to recommend to all to make some small sacrifices; for on this measure the future tranquillity of Ireland must mainly depend. He would now advert to the hon. and learned Member's observations upon the Speech in that part of it which alluded to the recent agitation which had been kept up in Ireland. The hon. and learned Gentleman would do well in affording that large portion of his countrymen who were misled on the subject of Repeal the reparation of an early discussion of the subject. There could not exist in that House any stronger prejudice against the Repeal of the Union than had existed at one time against any concession to the Roman Catholics. If, therefore, by constitutional means, the hon. and learned Gentleman could gain his way in this question, let him have the credit which would be his due. If he could convince men of education, who, from their situation in society, from their correct estimates and general views, were able to form an opinion on the subject, that it was for the interests of Ireland that the Union should be repealed, he would congratulate the hon. and learned Gentleman on a triumph worthy of his extraordinary powers. But to promote the advancement of the question for the mere purposes of excitement was, in his opinion, a gross and most unpardonable abuse of the privileges of the Constitution. Such a reparation was the more due from the hon. and learned Gentleman; for, from whatever cause the feeling of Repeal had increased, it must be borne in mind that it was not a sentiment of natural growth; but originally conceived for the purposes of agitation. The spontaneous expression of political feeling, even if founded in delusion, was entitled to respect; but to propagate any political sentiment for the purpose of agitation was a most unpardonable abuse of popular confidence. When the hon. member for the county of Meath adverted to the forbearance of his Majesty's Government, he could not suppose that the hon. Member meant any thing else than that the Government had not exercised the power which it possessed of checking meetings which might tend to disturb the public peace. Certainly such meetings had disturbed the public mind, and prevented it from subsiding into repose so soon as it would otherwise have done. The constant denunciations against that and the other House of Parliament as a foreign legislature—the complaints of denial of justice—and the perpetual advertence to Ireland's physical strength; all topics calculated, although he would not say they were designed, to have the effect of inflaming a malignant spirit of discontent against the British Government, and hatred of British connection. But reckless and unscrupulous as was the manner in which these topics were urged, the system was carried on with a degree of prudence, and caution, and cunning, which rendered it difficult for the Government to check such proceedings by legal means. There was but one single means for them to adopt—namely, to watch the measures of the parties, to see that no illegal act was done, believing that the excitement would be but momentary, and transitory; and that, as it had begun upon the arrival of certain gentlemen at Dublin, in November, so it would die a natural death on their departure for that House in February. One of the hon. Gentlemen who had spoken adverted to the Speech as attributing to the people of Ireland a demand for a Repeal of the Union. The words of the Speech were, "that the people of that country were excited to demand a Repeal of the Union." This he considered was prudent and constitutional language, and he was sure it would meet a general response from the intelligent people of Ireland, and a unanimous one in this country. The hon. Gentleman also, in quoting the words of the Speech declaring his Majesty's determination to maintain that bond of our national strength and safety inviolate, had left out the words "by all the means in my power," which divested the passage of all grounds of exception. He was not aware, that there was any other part of the observations which had been made to which it was necessary for him to advert, but he was desirous to express his entire approbation of the sentiments embodied in the Speech; because, while he hoped that no man, who had ever filled the office which he had now the honour to enjoy, was more animated by feelings of kind attachment to the country with which he was thus connected, there was no man who could be less disposed to conciliate the good-will of any portion of the people of that country by a sacrifice of principle, particularly when that sacrifice would countenance the most violent and outrageous proceedings which had ever disgraced the country.

Mr. *Cobbett* said, that he should feel it necessary to propose a distinct Amendment. He felt that the Address contained a great deal of what he could not call falsehood, because he supposed the term was not allowable, but certainly it alleged as true many things which were untrue. It stated, that they concurred with his Majesty in lamenting the continuance of distress amongst the proprietors and occupiers of land, and then went on to say, that they concurred with his Majesty that the state of the country, as regarded its internal tranquillity, and its commerce, and manufactures, afforded the most encouraging prospects of progressive improvement. Now, either this was nonsense or it was not, and if it was not nonsense, it stated that which was not justified by facts. If his Majesty meant to tell his Parliament that the state of the country, in the agricultural districts was tranquil, there was not a Gentleman in that House who did not know that the statement was not true, and he was sure that there was no prospect of future and progressive improvement. If the words had any meaning at all, they certainly meant that. He should, therefore, at a future time, move an Amendment on that point. He had a word or two to say relative to what had been said on the other side of the House, about the agitation of the hon. and learned Gentleman near him. He remembered the time when the same charge was brought forward against other men. He remembered when great charges were made against designing men, as they were called, and when designing men were marked out in King's Speeches, and when it was said, that these were designing men who were agitating for Reform; and it was said, though they had Reform on their lips, they had something else at their hearts. The Ministry of that day hunted them down just as the Norwich gentlemen now wanted to hunt down the labourers with blood hounds. Could the hon. and learned Gentleman be more calumniated than these men were, one of whom for his own safety had felt himself compelled to cross the Atlantic. After all, they had called for nothing but Reform, just as the hon. and learned Gentleman now called for the Repeal of the Union. Reform at last came, and those who were foremost amongst the persecutors, now boasted of making this Reform, or of supporting this Reform, or of supporting these Reform Ministers, as they were termed. And how was it carried, but by agitation, and by agitators? The hon. and learned Gentleman was no more an agitator than were those Reformers. They held their meetings, and wrote their letters just as the hon. and learned Gentleman held his meetings, and wrote his letters. Some thing had been said about these repealers in Ireland, that they were so very cunning, and they wrote their letters so very craftily, that no ordinary legal proceedings could be taken against them. Why, that was the very argument which was used by Lord Sidmouth against the Reformers of his day, when he brought in the Gagging and Dungeon Bill. "These Reformers," said he, "are so cunning, and write with such art, that the Law Officers of the Crown cannot get hold of them;" and that Lord Sidmouth thought a sufficient reason for bringing in a Bill to shut them up in dungeons. Were not those, then, parallel cases? Why should not the Repeal Question be agitated as well as the Reform Question? Let not the hon. and learned Gentleman despair. He would yet live to see the Repeal of the Union carried—ay, and to hear a Ministry boast of being Repealers, too.

Mr. *Hesketh Fleetwood* said, the terms of the Address were vague and unsatisfactory; they had already caused much desultory conversation in the House, and were, therefore, productive of loss of time to the public. With so many notices on the book as 134, and those accumulating every day, unless the time of the House were more economized the business of the nation must stand still. He only thus briefly alluded to those topics, as otherwise he should be guilty of the offence which he felt it his duty to denounce in others. He should confine himself to noticing the allusion that had been made to the present prosperity of trade, which it was said had improved to the extent of thirty per cent generally; but the hand-loom weavers, it would appear, were an exception to that rule, the advance with them extending only to ten per cent. Being returned for a place where hand-loom weavers were numerous, he thought himself entitled to observe, that assuming the fact to be as stated, it still evinced no great advance in the condition of manufacturers, at least so far as they were concerned; for ten per cent, though large on great capitals, was as nothing to the poor man—it did not amount to 1*s.* a-week.

Mr. *Ruthven* lamented, that his Majesty's Speech should be made the channel for the conveyance of sentiments so repugnant to the feelings of a numerous body of the subjects of this realm. The desire for the Repeal of the Union was so deeply implanted in the breasts of the people of Ireland, that it could not now be easily repressed. The question of Repeal would come before a tribunal which had already prejudged it, and would, no doubt, be thrown out by the same noisy majority which carried the Coercion Bill. The conduct of the Parliament during the last Session had made more Repealers than any thing that had been done by any former Government. Let but the Ministers proceed in the same manner, and they would soon have a unanimity of opinion upon the subject of Repeal in Ireland.

Sir *Robert Peel* said, that with a few qualifications, he was happy to be enabled to concur in the Address which had been moved. These qualifications were not very important, but, to avoid misconstruction, it was his duty to state them. With the greater part of the Address he found no fault; indeed, with the exception of that part of it which referred to the agitation and excitement prevailing in Ireland, by which it was attempted to promote the Repeal of the Union—with the exception of that part, he must be a fastidious man who could object to an Address which neither contained an opinion, nor gave a pledge. For himself, he fully concurred in the feelings of regret and indignation expressed at the agitation for the Repeal of the Union; and with that portion of the Address he most fully and cordially agreed. He rejoiced to hear that it was the intention of those who supported Repeal to submit that great question to a full and fair discussion. He rejoiced at this, because he believed, that if sound reason prevailed, nothing would be more easy than to show that ever since the union with Ireland, the disposition of England towards her sister country was, to deal out impartial justice; nothing also would be more easy than to show that the consequences of a Repeal would involve a separation of the two countries, either immediate or protracted only by a long, disastrous, and perhaps fatal conflict. He approved of the general policy of avoiding, in a King's Speech, the introduction of subjects which were likely to provoke any violent differences of opinion. He had always wished to see the Speech framed in such a manner as, without any violence to individual feelings, or sacrifice of political principles, should insure unanimity at least on the first day of the Session. As far, therefore, as the Speech avoided any provocation to the discussion of measures in detail, or calling for any distinct pledge as to the measures to be proposed, so far did he concur in the policy by which it had been dictated. Having had himself some experience in framing these documents, he he mnst confess his admiration of the dexterity which had contrived to put in the Speech so many words meaning nothing.

"True, no meaning puzzles more than wit."

And it was in this sense that he was puzzled with the Speech before him, in endeavouring to conjecture, in any one particular, the intentions of his Majesty's Government. If they had any intentions—if they had made up their mind as to the introduction of any one measure, it would have been respectful to the House, not to call for pledges as to that measure, not to enter into details, but to announce the simple fact, that such a measure would be proposed on the authority of the King's Government. As the matter now stood, it was impossible to say, that his Majesty's Ministers intended to bring forward any measure whatever, except one for the final adjustment of tithes in Ireland. With regard to Church Reform, Municipal Corporations, and the Poor-laws, all the information the Ministers condescended to give the House was, that the Reports of certain Commissions would be laid before them, in which they would find much useful information, and by which they would be enabled to judge of the nature and extent of any existing defects and abuses, and in what manner the necessary correction might, in due season, be safely and beneficially applied. If his Majesty's Government had any measures to propose on their own responsibility—measures carrying with them their authority—it was due to both Houses of Parliament to intimate such intention. That certainly was the uniform course; and he could not carry his approbation of the principle of avoiding every disputable subject so far as to approve of keeping the Legislature wholly ignorant of the intentions of Government. One of the first sentences of the Speech spoke of the difficult and important measure of last Session—the Bill for abolishing Slavery. Since that Bill was passed, no man could attach more importance to its final success than he did—no man could more sincerely hope that the apprehensions which were formed respecting its operation and results might prove to be ill-founded. Its success was of the highest importance, not only to the commercial and colonial interests of this country, but to the best interests of humanity and civilization throughout the globe. Our success might induce other nations to venture on a similar experiment. The Address would, however, have been more satisfactory to him if its language had been less sanguine as to the future, and if it had, at present, refrained from calling on them to say, that they already had just grounds for anticipating the happiest results. He hoped that such might be the case, and possibly his Majesty's Ministers might be in possession of information which afforded them such grounds. The expression, however, was in the superlative degree; and he thought the manner in which the Act had been received in the West-India Islands, could not, alone, justify the use of so strong an expression. Nothing had yet occurred in the colonies to enable them to predict with confidence, that the measure would be completely successful. Jamaica and other colonies had certainly shown a strong disposition to adopt it, for the purpose of obtaining the pecuniary compensation which it gave them. This, however, was but one step towards the success of a measure which would effect a total and complete change in all the relations of colonial society. As to the expressions in the Address which referred to the foreign policy of the country and the existing state of our relations with other Powers—he could only say with the Address, that he hoped for the best. He would add, however, that the view of our foreign policy was not satisfactory, and that, even on the showing of the Address, we had no right to congratulate ourselves on this subject. He most cordially approved of that part of the Address which spoke of the disposition of his Majesty's Government to secure to the people the uninterrupted enjoyment of the blessings of peace. It was impossible for any person to be so deeply impressed as he was with the importance of our commercial and manufacturing interests, with their importance not only to the prosperity of the nation, but to the moral and social interests of the people, and not be also deeply impressed with the conviction, that universal peace was absolutely essential to the protection and advancement of those great interests. He considered it of the highest importance that a good understanding should exist between France and this country. Such an understanding would pave the way to an improved commercial intercourse (an intercourse which was of double importance—first, to our commercial prosperity; and next, to the security of peace between the two countries), by affording an additional guarantee in the interests and feelings of the people for its preservation. But he hoped it was possible to maintain amicable relations with France, and at the same time to conciliate the good will of other countries. Certainly his satisfaction at the good understanding prevailing with France would be greatly mitigated if he thought that understanding was of an exclusive nature, calculated to excite the suspicion and jealousy of other powers. The Address admitted, that with other countries with which we were nearly connected, our relations were not satisfactory. We were still far from a final adjustment of the differences between Holland and Belgium. Civil war continued in Portugal, and had now extended into Spain. If the tranquillity of the Peninsula, were (as admitted by the Speech) of the first importance to England, it was impossible to close their eyes to the melancholy fact, that almost the whole of the Peninsula was at this moment convulsed by civil war; and, without wishing then to provoke a discussion on foreign policy, he felt that he must, on this very ground, protest against the policy which his Majesty's Ministers had thought proper to adopt towards Portugal. He believed, that the civil war in Portugal existed solely in consequence of the interference of this Government. Ministers had, indeed, put on a specious neutrality; but how often was it practically broken? The permitted violation of the municipal laws of this country, and the abstinence of the Crown from taking measures which might have been justly taken, alone prevented the termination of this civil war some time since. He had never concealed his opinion of Don Miguel's acts, connected with his original accession to the Throne; but, after the lapse of two or three years had proved that the people of Portugal were not dissatisfied with his rule, however objectionable it might be to some eyes,—the time had come, notwithstanding his perfidy towards us, when we were bound, in conformity to our usual practice, to the usual practice of all civilized countries, to recognize him as king *de facto*. As to the integrity of Turkey, if that really were an object—if it were considered of first-rate importance that its independence should be preserved inviolate—he must say it was now too late to declare, that the attention of his Majesty's Government would be directed to prevent new changes after the vital change which had already taken place. To speak now of the maintenance and stability of that empire, was long after date; and if there were no better guarantee for the prosperity of England and the preservation of peace in Europe, than the future stability of the Turkish empire, we had slight security indeed, either for prosperity or peace. The rest of the Address, and the language in which it was worded, were so much matter of course, so framed upon ancient models—so like the work of a Tory Government—that he could not help approving of them. The estimates, of course, were as low as possible. Attention to economy was a matter of course. The condition of the revenue was satisfactory—he was glad to hear it. As to the distress of the occupiers of the land, from all the experience he had, he could bear the fullest testimony to the truth of that assertion. If any thing could be done to remedy this, and remove those local burthens to which the land was exclusively or peculiarly subject, he should feel himself called upon most imperatively to support such a measure. It was, however, highly satisfactory to observe the increasing prosperity of commerce and manufactures, and much was to be hoped from their ultimate re-action on the landed interest in promoting the prosperity of the latter. It had always been a maxim, that the commercial and agricultural interests waxed and waned together; and therefore he hoped that the latter would ultimately derive the benefit that was to be expected from the increasing prosperity of the former. He felt, too, peculiar satisfaction that this improvement in commerce and manufactures had taken place without the necessity of resorting to any of those changes in the currency with which they had been threatened. The wisdom of adhering to a metallic standard was now, he hoped, established. It was now proved, that such a standard was by no means inconsistent with the most rapid and extraordinary extension of the commerce and manufactures of the country. When the details entered into by the seconder of the Address should be substantiated by official returns, they would do more towards settling this much-disputed question than all the debates and divisions that had hitherto taken place upon it. It was not his intention to move any amendment. He gave his cordial concurrence to the Address in most of its particulars. Above all, he approved of the language held with regard to the determination of Government to maintain the union between Great Britain and Ireland; a union which, in his unalterable opinion, was essential to the safety and power of the empire, and, above all, to the happiness and prosperity of Ireland herself.

Viscount *Palmerston* said, that he should not have risen, but for the qualifications of the right hon. Baronet, which, particularly those relating to foreign policy, almost amounted to a dissent from the Address; and he could not pass over them in silence without, in some measure, appearing to sanction them. The right hon. Baronet expressed his surprise at the negociations respecting Belgium not being yet concluded. He could only say it was much to be regretted, but a convention had been signed in May last, which placed the two countries in such a relative situation towards each other, that the signatures of a definitive treaty became of very little consequence as far as the stability of the arrangement, and the peace of Europe were concerned. The right hon. Baronet's charge, that the civil war in Portugal had been fostered and protracted by this country, had already been repeatedly answered. Ministers, however, were now, it appeared, accused of thereby creating a civil war in Spain. But, every person who regarded the events of the Peninsula with an impartial eye, must perceive that the war in Spain, arose from causes within Spain herself, and by no means flowed out of that which prevailed in Portugal. But it was said, that a time had arrived at which it was the duty of his Majesty's Government to acknowledge Don Miguel. He should like to ask the right hon. Baronet, when this particular time had come to pass. The last Administration continued in office two years and a-half after Don Miguel had usurped the Crown. If, therefore, a lapse of time were alone sufficient to have rendered it imperative on the Government of the country to acknowledge Don Miguel, why did not the last Government acknowledge him? And why seek to throw on the present Administration the odium of acknowledging a usurper, whom the right hon. Baronet and his colleagues were ashamed to recognize. The right hon. Baronet appeared to attach very little importance to the maintenance of the Turkish Empire as it now stood. He differed much from the right hon. Baronet. It was, in his opinion, of the utmost importance to the interests of this country, and to the preservation of the balance of power in Europe, that the Turkish Empire should be maintained in its integrity and independence; and he considered that his Majesty's Government would not have fulfilled their duty had they not pointed out this subject as deserving the most serious attention of Parliament. In the early part of the evening some reference had been made to the commercial union of Prussia and Austria. He would remind the House, that we had no right to object to treaties made between independent States, having for their object the regulation of their reciprocal commerce. In some respects, however, these would be no disadvantage to England. A great number of custom-houses in the interior would be abolished, and our manufactures would find their way through many parts of Germany with much less obstruction than heretofore. On the subject of the abolition of slavery, he thought the language of the Address was fully warranted. It certainly was not a little pleasing to those who had brought forward and supported that measure, to find their own anticipations so completely fulfilled, and the predictions of their opponents so completely falsified. The colonists had shown much good sense by their ready adoption of it; and now, instead of producing the disastrous results which some prophesied, it might be hailed as one of the most just, enlightened, and beneficent measures which had ever been carried into a law.

Mr. *Baring* concurred with what had been stated on all sides as to the importance of keeping up a good understanding between this country and France. No one could value the advantages of such an understanding more highly than he did. At the same time it was his decided opinion, that the maintenance by this country of a good understanding with France was by no means inconsistent with the maintenance of a good understanding with the other countries of Europe. Was not the noble Lord, then, aware that all those other countries charged us not only with working against them ourselves, but of uniting with France, our ally, in working against them? There never existed in the history of the world a more complete feeling of disgust, jealousy, and aversion, than that which was in consequence entertained by those states against this country. There was not a single foreigner, let him come from what part of Europe he might, who was not prepared to declare, that France and England had not only joined hostilely against the other states of Europe, but were actually endeavouring to undermine those states in every possible manner. The noble Lord might estimate the matter lightly, but, at least, it was attended with this inconvenience, that, if we set ourselves in hostile array against other powers, those powers would, of course, take some means of retaliation. The consequence of the course which had been adopted by this country was, that Prussian commercial confederacy, which the noble Lord treated so lightly, which some years ago it would have been impossible to accomplish, had been effected in a short time, much to the injury of our trade. He was surprised at the ignorance which had been manifested on the subject by the noble Lord, when he told the House that the destruction of the custom-houses in the interior of the states, comprehended in the Prussian confederacy, would be in no way injurious to English commerce, and that the establishment of one exterior line of custom-houses would be beneficial to that commerce. So far was that from being the case, that it was clear that eventually our commerce would be excluded from Germany. The commercial regulations of Russia, Prussia, and Austria, had been made the means of indulging political hostility to England. But for the course of policy which had been adopted by the noble Lord, we should never have heard of the adoption of such a course of policy by Prussia. If the noble Lord had maintained any thing like the good understanding with the different states of Germany which formerly existed, no such injurious course would ever have been adopted by them towards us. But such was the manner in which the noble Lord had chosen to follow up his little experiment of erecting a petty monarchy in Belgium, that even Holland, although in general most favourable to the principles of free trade, concurred with Prussia in her commercial arrangements. It was impossible that the foreign minister could be ignorant of this; and he could assure the noble Lord, that the commercial prosperity of this country would be sacrificed if he persevered in his present policy. With respect to Portugal, when the noble Lord spoke of the neutrality which had been observed by this country, everybody in the House smiled except the noble Lord's friends immediately around him. He was apprehensive that the opinion of the world on that point was very different from the opinion of the noble Lord; and that it would be very difficult to make the world believe that, without the countenance which had been given by this country to one of the parties in Portugal, the contest between them could have been kept up. Would the noble Lord deny, that it was as much our interest to be at peace with Portugal as to be at peace with France? And why were we not so? Why had we abandoned, with reference to Portugal, the sound principle of acknowledging a government *de facto?* What business had we to inquire, either in Portugal or in Spain, who was the right heir to the crown? It ought to be enough for us that the Government which actually existed had the consent and support of the people, and was capable of maintaining its relations with us. On the subject of Turkey, the integrity of which the noble Lord appeared to admit to have been in jeopardy, he had no objection to that part of the Address. But, if ever the question came forward for discussion, it would require more information than had yet been produced, to show whose fault it was, that the integrity of the Turkish empire had been broken up. If it was true, as had been stated in the public papers, that the Russian Government had, month after month, and day after day, been knocking at the noble Lord's door, stating the dangers to which the Turkish empire was subject from the conduct pursued by France, our ally, and begging us to interfere, and to induce France to desist from that conduct, the conclusion was obvious. Instead of Turkey having anything to apprehend from Russia, Russia had prevented the Egyptian Pacha from overturning the Turkish empire. Unless the noble Lord could overturn that position, by proving the existence of insatiable ambitious designs on the part of Russia, he (Mr. Baring) would maintain, that the course which had been adopted by the Pacha of Egypt had been at the instigation of France, our ally. France, having taken possession of one of the dependencies of the Turkish empire, manifested no symptom of any disposition to give it up. If the noble Lord held that the integrity of the Turkish empire had not been put in jeopardy by France, let him induce France, his own friend, to give up the possession of Algiers. With respect to the West Indies, it was impossible not to admit, that a great improvement had taken place in the aspect of affairs in our colonies. At the same time, he was decidedly of opinion, that those who thought the whole of our difficulties in that quarter had been got over were in an error. On the contrary, his apprehension was, not of bloodshed, for of that he had never entertained any fear, but his apprehension was, that if they depended on free black labour alone, the sugar colonies could not be retained in cultivation.

The House divided on Mr. O'Connell's Amendment.—Ayes 23; Noes 189: Majority 166.

The Address was agreed to.

List of the AYES.

Attwood, T.
Blake, M.
Buckingham, J. S.
Butler, hon. Colonel
Evans, Colonel
Fitzsimon, N.
Fitzsimon, C.
Fitzgerald, T.
Finn, W. F.
Fryer, R.
Hume, J.
Nagle, Sir R.
O'Dwyer, A. C.
O'Connell, D.
O'Connell, M.
O'Connell, J.
Sheil, R. L.
Ruthven, S.
Ruthven, E.
Vigors, N.
Warburton, H.
Wallace, T.
Whalley, Sir S.

TELLERS.
Grattan, H.
Lynch, A. H.

HOUSE OF COMMONS,

Wednesday, February 5, 1834.

MINUTES.] Petitions presented. By Mr. EWART, from Liverpool, for the Repeal of the Corn Laws; and from Ship Masters of Liverpool, complaining of the different Rates of Duty on Ship-building Materials in Liverpool and the Isle of Man.—By Mr. WALLACE, from Greenock, for an Alteration of Church Patronage in Scotland.—By Mr. WILKES, from the Committee of the Protestant Society, for the Protection of Religious Liberty, for a National Registration of Births and Marriages.—By Mr. O'CONNELL, from Kilrane, for the Repeal of the Union, and for the Abolition of Tithes; from Clare, for the Introduction of Poor Laws into Ireland; and from the Children of John O'Leary, for the Remission of his Sentence of Banishment.—The various Sessional Orders were agreed to.

REPORT ON THE ADDRESS.] The Report on the Address to his Majesty was brought up and read.

Mr. *Cobbett* said, he objected to that paragraph which spoke of agricultural distress. For his own part he could not reconcile those conflicting statements, that great distress existed amongst the agricultural classes, and that tranquillity prevailed throughout the country. He should not have troubled the House, but that these statements would have the effect of producing an impression throughout the country that there was a want of sympathy and commiseration in that House with the owners and occupiers of land as well as with the agricultural labourers. He should, therefore, move the omission of the following passage:—"We lament, in common with your Majesty, the distress which the proprietors and occupiers of the land continue to suffer; but it is satisfactory to us to learn that in other respects the state of the country, both as regards its internal tranquillity and its commerce and manufacture, affords the most encouraging prospects of progressive improvement." This picture of tranquillity would, no doubt, be very satisfactory if it were true, but unfortunately it was not. With respect to this tranquillity, he would take upon himself to say, that there was no Gentleman in that House who came from the country districts of England but knew that no such thing as tranquillity existed there. He would ask whether hon. Gentlemen could shut their eyes to the fact that day after day the Press was teeming with accounts of incendiary fires throughout the whole of the agricultural districts? It was beyond all dispute that during the last three months, there had been in the county of Norfolk alone an average of four fires a night? With these fearful facts staring them in the face, would that House venture to assure his Majesty the internal tranquillity of the country was in a state of progressive improvement? There were other parts of the Address with which he found fault. He objected to it as much on the ground of its stating too little as of its stating too much—of its saying nothing, as of saying that which was not the truth. Instead of talking of progressive improvement and internal tranquillity in the same breath that it lamented the existence of distress amongst the proprietors and occupiers of land, it should have stated the extent and nature of that distress, and said something about the means of relieving it. Instead of congratulating the King upon what they all knew to be false, the House ought to offer some kind of comfort and relief to the farmer. He should, in consequence of this omission and of the misstatements contained in the Address, move an Amendment, proposing to substitute for the sentence to which he had already referred the following words:—"We have, in common with your Majesty, to lament the continuance of the distress amongst the agricultural classes, and to assure your Majesty, that the nature, the extent, the causes, as well as the lamentable effects of that distress, shall be objects of our immediate and most anxious consideration." He could not say whether the House would or would not take this subject into consideration; but if they did not, they would not perform their duty to their constituents. What excuse could be made for neglecting the inquiry? Not the excuse of ignorance because they had before them the Report of the Agricultural Committee of the last Session. He was aware that the Report of the Committee did not recommend further inquiry, but it contained evidence to show that further investigation was necessary. Hon. Members might say, the Report recommended nothing, and that it was the opinion of the Committee that the less the House meddled with the state of agriculture the better. He must admit, that the Committee said nothing; and the more shame it was to the thirty-seven English Gentlemen who sat on that Committee, that they had not brought their labours to any better termination. He was not, however, correct in saying, that the Committee had done nothing. They had, unfortunately, done something which was worse than doing nothing, they had recommended to that House not to interfere in the affairs of the agriculturists, as such interference would, in their opinion, create more mischief than good. He by no means entertained such a low opinion of all the Members of that House as to suppose, with those thirty-seven Gentlemen, that the House was not fully capable, if it went honestly to work, of proposing and carrying into operation measures which would give effectual relief to the agricultural classes. In allusion to the state of agriculture, the hon. mover of the Address last night said, that the extinction of tithes was one of the practical modes of relieving the agriculturists. This was a curious remedy. What, he would ask, had the extinction of tithes to do with agricultural distress? Oh! it was said, tithes operated as a check to improvement, and prevented the more extensive application of capital to land. What was the fact? Tithes had existed for 1,000 years; and it was reserved for the wiseacres of modern times to discover that they were the cause of paralysing agricultural enterprise, and of ruining the English farmers. The evidence collected by the Committee of last year proved, that land was not now so well cultivated as it used to be; that the crops were smaller, and at the same time there were more hands than could find employment in the rural districts. How was it, then, that whilst there were more hands than could get employment, there was at the same time a want of those hands for the improvement of the land. This ought to be inquired into. Were tithes the cause of these difficulties? Who was to find out a remedy for these evils? Who was to find out the cause of them?—Why, that House, whose especial duty it was, to find out the causes of evils, and to provide a remedy. It was their duty to tell his Majesty that they would endeavour to provide a remedy; and he thought the hon. member for Hampshire had fallen into a great error in asserting, without inquiry, that the extinction of tithes was such a remedy. If tithes were a hinderance to agricultural improvement, they should be declared so by Parliament; but then rent must necessarily be also a hinderance. He defied any man on earth to show him that tithes were a greater hinderance to improvements than rent. If the principle of the hon. member for Hampshire were correct, so also was the principle that rent was a burthen on industry. He was not the possessor of any land, not even of as much as he could stand upon, nor was it at all likely that he should ever have any; but he could easily conceive how pleasant it would be for him, if he had a farm worth 40*l.* or 50*l.* a year, to have the whole of the tithes upon that farm abolished. But he denied that the abolition of tithes would be productive of any general good. The extinction of tithes as a remedy for agricultural distresses was a mere fiction; and if his Majesty's Government acted upon it, unless rent were also abolished, they would be guilty of as great a delusion as ever had been practised by any set of political quacks in this world. The abolition of tithes would neither stimulate industry, find employment for the idle, nor bread for the hungry. The hon. member for Ipswich had dwelt at some length upon the prosperous state of the commerce and manufacture of the country. It was not quite clear, whether the hon. Member meant by commerce, what was understood as commerce by our ancestors, namely, the shipping interests. That great interest was in a declining state; and the Report of the Committee on Commerce and Manufactures would fully corroborate what he had stated. He had read part of the evidence taken before the Committee, and the whole of the Report of the Agricultural Committee; and, if it was asserted, that manufactures were prosperous he would ask, how that was consistent with the fact that agriculture was suffering? Suppose that commerce and manufactures were flourishing, what were those interests, great as they were, compared to those of the agricultural population? The persons employed in agricultural pursuits formed sixteen-twentieths of the population of the country. He was not making a hasty assertion, and he spoke within compass when he made that statement. Supposing that the other branches of industry were in a flourishing condition, were they to be contented because a few money-mongers, and because a few pawnbrokers on a great scale were said to be prosperous? Were the owners and occupiers of the land to be contented because a few haberdashers had become as rich as Lords, and because Lords dined with haberdashers, and shot game for them. He did not, as he said before, own the breadth of his hand in land; but he had some acquaintance with agriculture. He knew that the estimate which he had made of the agricultural population was not too great, and in proof of this assertion he would refer to Salisbury among other towns, the inhabitants of which were described as not engaged in agriculture, and yet there was scarcely a man in it who did not earn his bread by some connexion with husbandry. Was not the man who made a plough and a cart dependent upon husbandry. Though no farmer himself, he felt an identity of interest with the tillers of the land, and he opposed the passage in the Address because it indicated an attempt to sacrifice the occupiers and owners of land for the benefit of a few money-mongers. In fact, the land was eaten by them, and the land-owners would, ere long, be ejected from their estates. Upon the presentation to the House of a petition from the Dissenters that very day, praying relief from Church-rates, he inquired whether the petitioners did not also seek to be relieved from tithes? The answer was, "Not yet."

He felt now, as he had felt at the passing of the Test and Corporation Acts, and as he then told the noble Lord, that the Dissenters would never stop, and the noble Lord could not stop, until they were relieved altogether from tithes. What was really wanted was, that justice should be done to the common people, and unless that were done it would be in vain to hope for tranquillity. According to the newspapers, fires were constantly taking place throughout the country. The very papers of that morning gave an account of four; and it was a remarkable fact that of late the average convictions was not more than one in every forty burnings. This he called a remarkable fact, because it clearly proved, that an extensive combination of the labourers created a difficulty of detecting the incendiaries. There had been more fires within the last year than during 1830, when a Special Commission was sent down to try the offenders; and yet there were few or no convictions. He was sorry to observe some late proceedings of farmers in a parish in Norfolk. They, it appeared, had come to the silly resolution of reducing the wages of labourers 1s. per week until the incendiaries were discovered. This was the proceeding of men out of their senses, conscious of distress, and perfectly incompetent to apply a remedy. This act was in itself a proof that there was an evil at work which the sufferers themselves did not understand, and afforded an additional ground for inquiry into the state of the agriculturists. It was the duty of Parliament to search out the evil, to trace its cause, and to provide the remedy. It was the duty of that House to declare as much to his Majesty. It was a sense of duty alone which had induced him to bring forward his Amendment. He had no desire of calling for a division, and should be perfectly satisfied if he could receive any assurance from the noble Lord, that some inquiry would be instituted by Government. The Speech was anything but tranquillizing; it would rather operate as a firebrand. He was certain that the passage as it stood would be considered throughout the country as an intimation that there was no intention of giving the agriculturists any relief. He would ask again, why was the fact of disturbance denied? Why was inquiry refused, when the Government could command the hearty concurrence of every honest man in Parliament? It was necessary to do something, and unless something were done, the industrious portion of the community would be thrown into despair, whilst bad men would be encouraged in their work of mischief. The hon. Member concluded by proposing his Amendment.

Mr. Fielden seconded the Motion.

Lord *Althorp* said, it appeared to him that the hon. Member had entirely misunderstood what was intended to be conveyed by that part of the Address to which he had alluded. The hon. Member seemed to think, that it was intended to express to his Majesty something which would leave no hope of improvement in the state of agriculture. No such object was intended by those who framed the Address. The hon. Member had expressed his regret, that neither the Government nor the gentlemen who composed the Committee of last year, had recommended further inquiry into the condition of the landed interests. He thought, that Government would be wrong in recommending any such inquiry after the Report of that Committee, unless they had good ground to expect that they could devise measures to relieve the distress which existed. The hon. Member had said truly, that the Committee of last year had stated, that the cultivation of land was worse at present than it had been some years past; that agriculture was on the decline; and that great distress prevailed amongst the agricultural population. But the hon. Member ought to have remembered that, after the fullest investigation into the subject, the Committee had concluded that no legislative measure should be taken respecting it. It was, however, competent to the hon. member for Oldham, or to any other Member of the House, to propose such inquiry, or to make any other specific motion on the subject that he pleased; and he would take upon himself to say, that any proposition which would benefit the agriculturist, without detriment to other interests, would have the cordial co-operation of his Majesty's Ministers, and also, he believed, of every independent Gentleman of that House. He admitted, with the hon. Member, that a system of incendiarism existed in some parts of the country; but that fact would not justify the Government in saying, that the country generally was not tranquil. Though incendiarism existed, it did not prevail to such an extent as to justify any man in saying that the people of this country were not at present in a state of tranquillity. In respect to tithes, he would say only one word—namely, that when that question came to be considered, he would undertake to prove, that the effect of tithes, as an impost upon agriculture, was very different from rent. He thought also it could be shown, that they checked the cultivation of land, and, if it could be so shown that the effect of tithes was to discourage the investment of capital in land, he was sure that a change in the mode of collecting them would be considered beneficial both by the payers and by the receivers of tithes. No man felt more sincerely than he did for any distresses under which the landed interests might labour, and there was no man who would feel more happy in relieving such distress; but he felt bound to say, that he could not see how any legislative interference would accomplish that object, or in any way improve the condition of that great body.

Amendment negatived.

Mr. *Finn* wished to say a few words to the House upon that part of the Address which related to the alleged disturbances in Ireland, and the operation of the Coercion Bill, of which Ministers boasted so much. That was a most unconstitutional measure, directed against the rights of his much-injured and much-misrepresented country. He would like that the right hon. Secretary for Ireland should give him some account of the application of the secret service money in the county (Kilkenny) which he had the honour to represent in that House, in order to see how far this very secret service money had been influential in creating the alarm, if not the reality, of the disturbances complained of. Nine-tenths of those disturbances had their origin in this fruitful source of bribery and corruption. A system of espionage amongst the lowest underlings in and about office, disgraceful in a civilized nation, had been complained of, and justly complained of, in England; but he would venture to affirm, that for one spy in England, there were to be found twenty in Ireland; and yet no exertion was made to put a stop to so abominable a system. They were told that Ireland was disturbed, and that England was enjoying tranquillity. Now, with the single exception of the crime of murder, the unlawful outrages which that unhappy country had to answer for, were by no means so great as were represented. He would warn the right hon. Secretary for Ireland to beware how he credited these reports; to close his ear to the place-hunting, proud expectants of office, and listen to the disinterested and wholesome advice of those who had the real welfare of their country at heart. He gave credit to Ministers for the best intentions, but they had been labouring under delusion. He would ask the right hon. Secretary for Ireland, whether, in the whole course of his experience in office, he had reason to observe that the agitation of the Repeal question, so much reprehended, could fairly be connected with a system of "excitement and violence" in Ireland, as alleged in the Speech from the Throne. He considered that passage of his Majesty's Speech to be one at once unjust and impolitic, as being itself calculated to excite feelings of a most angry and dangerous nature. The hon. Member concluded by moving the following Amendment:—"And we beg leave to represent to your Majesty, that the people of Ireland, in seeking the repeal of the Legislative Union between Great Britain and Ireland, have committed no act of violence, but have strictly confined themselves to the exercise of their undoubted and indefeasible right of publicly discussing the merits or demerits of that measure, and of respectfully petitioning both Houses of Parliament for the alteration or abrogation of that or any other Law which they may deem injurious to their interests."

Mr. *Littleton* rose to reply to the question put to him by the hon. member for Kilkenny, as to whether there had existed any connexion of political feeling with the outrages complained of in Ireland? His reply would be decidedly in the affirmative. The tone and character which these political discussions had assumed, was such as to excite the people to a very general resistance to the laws. The hon. member for Kilkenny had made allusion to the working of the Coercion Bill. For the satisfaction of the hon. Member, and of the House, he would beg to read a comparative statement of the state of crime, and the numerical amount of outrages in the county of Kilkenny, at two distinct periods of time. He had compared the returns for seven months previous to the passing of the Bill, and for seven months afterwards, up to the 31st of December last; and they were as follows:—

	For 7 months previous.	For 7 months after.
Burglaries	428	62
Burnings	30	9
Injury to cattle	34	5
Assaults by Whitefeet	151	34
Illegal notices	127	27
Injury to property	44	24
Firing with intention to kill	17	3

The following he said were very important. Previous to the passing of the Bill the robberies of arms amounted to sixty-five, and afterwards there were only two. Administering of illegal oaths 135 in the former period, and in the latter five. The total of the two numbers was 1,072 and 227; leaving a diminution of no less than 845, to bear testimony to the efficacy of the measure of last Session.

Mr. *O'Connell* declared, that the measure of last Session was one of robbery, of injustice, and cruelty; and miserably defended by such evidence as that which had just been adduced by the right hon. Secretary for Ireland. That right hon. Gentleman had favoured the House with a statement of the decrease of outrages in the county of Kilkenny, but nothing could be more fallacious; and he would refer the right hon. Gentleman to a more happy instance of the decrease of crime in another part of Ireland. The county of Clare had been the scene of disturbance, much more violent and extensive than the county of Kilkenny. The county of Clare had been tranquillized—and how? Not by means of Coercion Law. Two Special Commissions had been issued, and by these constitutional proceedings, the disturbances had been quelled. The right hon. Secretary for Ireland boasted of a decrease of cases of outrage in the county of Kilkenny, to the amount of eight hundred and odd out of 1,072; but he was happy to tell the House, that in the county of Clare, the decrease of disturbances had been seven to one greater than in Kilkenny; in fact, there was no appearance of outrage left, though no Coercion Act had been applied to it. He was prepared to show by the returns, that such had been the case. The question was, whether the Coercion Act had worked well or ill? The right hon. Secretary had given an opinion in its favour, but not till he had been asked to speak on the subject. In the last Session the right hon. Secretary was silent when addressed on the subject. As to political excitement, which had been so much deprecated, and to which was ascribed all the crime and outrage of which Ireland had been the scene, it could be proved, that at those times when political excitement in Ireland had been highest, offences were least in number and enormity. His Majesty's Government talked about "a final adjustment of tithes" as a measure calculated to "extinguish all just causes of complaint." But how was his final adjustment to be arrived at?—By dispassionate, friendly, and conciliatory means. The subject should be discussed without passion, without anger, without violence; and then the measure might give permanent peace to Ireland. The question was one of vast and deep importance, as all parties seemed to agree that on a "final adjustment of tithes" depended the peace and prosperity of the agricultural districts in that country; and that no permanent tranquility could be had without it. It was a measure of paramount importance, and, he, therefore, hoped the Government would give it the best consideration. It should be a complete, a full, and satisfactory measure; no delusion. He spoke it without disrespect to the House, but really there had been such curious experiments tried of late years in respect to Ireland by the legislative wisdom, that he could not avoid alluding to them. Why, they had seen two or three Tithe Bills passed for the benefit of Ireland by the present Ministers, which had increased rather than diminished the burthens of the people. And were these burthens to be aggravated by such language as that they had just heard? But Ireland did not look for words—for promises; they would no longer satisfy her. Ministers must show by their acts, that they were zealously disposed to afford relief of a substantial kind. To return to the proposed "adjustment of tithes." How could this be done without sacrifices being made in some quarter or other? Did Ministers propose to play a game where everybody was to win, and nobody lose? The people of Ireland would not be contented with anything short of the total extinction of tithes. And could this be done without loss somewhere? And who was to suffer? He did not wish to exonerate landlords from the maintenance of the religious establishments of the realm; but the labourers must be exonerated.

One-tenth of the gross produce of the land was by law appointed for the support of the Protestant religion in Ireland; whilst the landlord's share was about one-third of the gross produce. Let part of the latter be devoted to keeping up the Protestant Establishment. No one denied the claims of the Protestant Clergy to maintenance and reward for their labours. But why should the people be compelled to pay for a clergy whose service they did not want, and by whose labours they did not benefit? No juggle of legislation could uphold such a preposterous claim; and he therefore repeated, that he would exonerate the people of Ireland from all contribution to the temporalities of a church they did not belong to. He had received a letter, from which it appeared, that in the county of Kilkenny, there was a parish in which not one Protestant was resident; and yet this Church, which was one of venerable antiquity, and therefore, perhaps, not left to perish, was supported by the tithe system. Any attempt to keep up tithes and ecclesiastical temporalities in such a place as that must be unjust, and must eventually fail. Ministers had proposed an excellent specific to allay the Repeal agitation by this adjustment of tithes, if it were to go to the extent, and be of the nature he had mentioned. The right hon. Gentleman (Mr. Littleton) would thus prove himself a much better agitator than himself, by taking away all desire for the Repeal. Let the people of Ireland be freed from that dictation, that subjugation, under which they now groaned. Let their burthens be diminished; let the Protestant Clergy have what was their due; but let not the mass of the Catholic population be called upon to pay other clergy than their own.

CHARACTER OF THE IRISH MEMBERS.] Mr. *O'Connell* continued: He then came to a different subject. The attention of the House having been called to the Coercion Bill, he would take this opportunity of alluding to a circumstance which was connected with it. It had been publicly stated that votes had been procured in support of that measure in a manner so disreputable, as to be scarcely within the bounds of belief; but he did not wish Ministers to suppose that he believed the part which was attributed to them in the transaction. A statement, however, had been published in the newspapers, with the name of a Member of that House attached to it, which contained a serious charge against the Ministers, and before he determined how he would vote upon the Address, he wished to give them an opportunity of refuting it. The utterance of the calumny was attributed to the hon. member for Hull. In a speech which was published in all the newspapers in the British dominions, that hon. Member was represented to have made use of these words:—"It is impossible for those who are not in the House to know the secret machinery by which votes are obtained." They were Treasury secrets, probably, that were alluded to here; and he did not wish to inquire into them; but he had a right to call upon the noble Lord opposite, to disclaim the imputation which followed. Again, he begged to declare his disbelief, that Ministers had any share in the transaction—"*Non meus hic sermo.*" It was, however, but right to give the noble Lord an opportunity of refuting the calumny, if he thought fit. The hon. and learned member for Hull, then, was represented to have said further, that "an Irish Member who spoke with great violence against every part, and voted against every clause of the Coercion Bill, went to Ministers and said—'Do not bate an atom of the Bill, for it is impossible to live in Ireland without it.' 'What!' said the Ministers, 'this from you, who vote against the Bill?'" Well might they say so (continued the hon. and learned Member); the only wonder is, that it could be supposed they would speak to an individual who could so conduct himself. The narrative proceeded:—"Oh, yes," rejoined the Member, "I am obliged to vote against the Bill, because if I did not, I could not be returned from Ireland, and then I must be out of Parliament altogether." And that would be no great loss to Parliament, and still less to Ireland. The constituency of Ireland had a right to know whether there was such a person as was thus described. He had already expressed his disbelief that Ministers had circulated such a story, and he would add, that he believed it was totally untrue, that any Irish Member had acted in the manner represented. He had spoken to every Irish Member who could come within the description, and they assured him it was impossible that Ministers could have made such a statement, because it was untrue with respect to any of them; and the noble

Lord and his colleagues were incapable of fabricating a deliberate falsehood. Although he acquitted Ministers of any share in the transaction, it was possible that the story might have been circulated by some person about them without their knowledge and sanction. Under these circumstances, he felt it his duty to ask the noble Lord, first, whether he or any other member of the Cabinet, had ever stated, that an Irish Member had acted in the manner described; and secondly, whether any Irish Member ever went to the noble Lord, or any other Minister, and made the statement which had been imputed to him?

Lord *Althorp* said, that to the first of the questions, he could answer positively for himself, and to the best of his belief, for his colleagues, that no such assertion as had been referred to had ever been made. With respect to the second question—namely, whether any Irish Member who voted and spoke against the Coercive Bill ever made any statement to the Administration similar to that which the hon. and learned Member had referred to, he was prepared to say that, as far as he was aware, no Irish Member who voted and spoke against the Coercive Bill had made any such statement to a Cabinet Minister. He felt that he was placed in a peculiar situation. The hon. and learned member for Dublin a few moments since said, that his right hon. friend had properly answered a question, because it was put to him; and, under the same circumstances, he felt that he should not act a manly part if he answered the question short. He had said, that to his knowledge no Irish Member who voted against the Coercive Bill had made the statement in question to a Cabinet Minister; but he should not act properly, if he did not declare, that he had good reason to believe that some Irish Members (certainly more than one), who voted and spoke with considerable violence against the Bill, did in private conversation, use very different language.

Mr. *O'Connell:* I am astonished at the noble Lord's statement. "The noble Lord is shrinking—why not state the names of those Members?"

Lord *Althorp* (across the Table): Does the hon. and learned Member accuse me of shrinking?

Mr. *Sheil:* Tell us the name of our accuser.

Mr. *O'Connell:* I retract the word "shrinking," as applied to the noble Lord. I thought that my questions implied more perhaps than they really did. I feel that I ought not to use a harsh expression towards the noble Lord, and therefore I retract it. I now come back to the point, and I ask the noble Lord who are the Irish Members who have acted as he has described?

Lord *Althorp:* I am answerable for what I say, and for what I believe. With respect to naming the Irish Members to whom I have alluded, I am perfectly ready to do so if they choose to call upon me; but unless they do so, I think I should not be justified in doing it.

Mr. *O'Connell:* I am authorised by every Irish Member [*Oh! oh!*]—well, by every one now present in the House ["*No!*"]—then I will take another course: I ask the noble Lord whether I am one of the Members to whom he alludes?

Lord *Althorp:* No.

Mr. *Finn:* Am I one?

Lord *Althorp:* No. [Mr. Carew O'Dwyer and Mr. Lynch, severally put the same question, and received the same answer. Several other Irish Members rose from their seats with the view of putting the same question to Lord Althorp. Great confusion prevailed, and amidst shouts of "Order," and "Chair."]

The *Speaker* was certain, that upon a moment's reflection, the House would see the difficult situation in which they would be placed if this discussion were continued in the spirit and manner in which it had commenced. He deeply regretted that the noble Lord had felt it his duty to answer the questions which had been proposed to him. Any person acquainted with the rules of the House must be aware that even subjects infinitely less calculated to excite the feelings of the public and of individuals could not be dealt with by them unless they assumed a public character, and were brought before them as questions of privilege, being defamatory of a Member or Members. He put it to the House whether what a Member had said out of the House or in private could assume such a character as to form the basis of public discussion?

Mr. *O'Connell* hoped that the House would bear with him and his friends, and that every man who valued his character would aid them in endeavouring to prevent equivocation on the subject.

Mr. *Hume* rose to order. On a former

occasion he had defended his hon. and learned friend the member for Dublin from an attack made against him on account of words spoken out of the House at a public meeting. He held that what a Member uttered out of the House, unless it came under the definition which the Speaker had given, could not be a subject for their consideration in that House. He put it to the House whether, if speeches and correspondence out of doors were to be brought under the notice of the House, they would ever see a termination to such discussions as the present? He was fully aware of the delicate situation in which many Members must be placed by the aspersions which had been cast upon them, and should be most happy if the House had the power to extricate them from it; but as it was, his hon. and learned friend must excuse him for appealing to the Chair to know whether his hon. and learned friend could proceed further in the matter.

Mr. *O'Connell* said, he must observe that the question before the House was a public one, inasmuch as it concerned deeply the constituency of Ireland to know whether any of their representatives had behaved in the manner described. The noble Lord had satisfactorily replied to the question put by himself and another Irish Member, but other Members, and amongst them his hon. friend, the member for Tipperary, (Mr. Sheil) had been interrupted when they rose to propose the same question to the noble Lord. His hon. friends had constituents who were deeply interested in their character, and therefore he pressed the noble Lord to be more explicit. He asked whether there was a single Scotch or English Member who would be content to rest under the imputation which had been cast upon some Irish Members? Was it anything but fair to ask that the guilty should be detected, and that those who were innocent should have the opportunity of freeing themselves from imputation? The noble Lord had said "more than one" Irish Member, who had voted and spoken against the Bill, had made the statement referred to. An opportunity of clearing themselves had been given to some two or three, but why should not the same indulgence be extended to all on whom the imputation had been cast? He thought that, in justice, the House could not refuse them the opportunity. The hon. member for Tipperary had constituents, who had a right to know whether the Member they had sent to that House was worthy of their confidence or not; for the sake of that portion of the community thus interested, then, and also for the characters of the hon. Members themselves, he felt, and he was sure the House would on a little reflection concur with him, that an opportunity of explanation ought not to be denied to those who sought it.

Mr. *Henry Grattan* said, that as one of those interested, he claimed the right to offer a few words. This was a charge brought by one Member of Parliament against another, appearing first in a report of a speech in a newspaper. He would suggest that the House, in order to be able to take cognizance and to go fully into the inquiry, should in the first instance have the statement itself before them. There were precedents for this in Hatsell—cases were there mentioned in which individuals, not members of Parliament, had been called before the House to answer for certain allegations made against Members of the House. He would refer to cases upon record; those, for example, of the Earl of Suffolk, the Bishop of Lincoln, and the Archdeacon of Bath. In these cases committees had been appointed. The same course ought now to be followed. They ought to have the printer or publisher of the paper in which the statement first appeared, or they ought to call on the individual whose statement it was represented to be, if he chose to acknowledge it. It was of the utmost importance to the character of many Members in that House, that the individual who had been described as having gone to Ministers or their friends, and recommended them to support the Bill which he himself was at the same moment publicly opposing, should be known, if in fact any such person existed; for there could be no doubt that to some such influence it was owing that many English Members who had promised to oppose the Bill had afterwards voted for it. He felt it necessary to say that there were thirty or forty English Members who had declared to him that they would vote against the Bill. They stated that they did not choose to communicate with Mr. O'Connell, for that they thought his politics too severe. He had a list with the names of many of those Members whom he met in the library, and where he took those names down. They there said, "Mr. Grattan, we will vote with you against the Bill;" but when the question came to a division, there were only two of them who opposed it. This was on the 2nd of March last. If this change in the determination of so many hon. Members was brought about by underhand representations, the author of them ought to be known. It turned out, however, that the charge, as originally made, was false, at least in one respect; for it said that some Irish Members, who had voted and spoken strongly against the Bill, had gone to some of the Cabinet Ministers; but, according to the statement of the noble Lord, no such communication had been made to any Cabinet Minister. Here the alleged speech of the hon. member for Hull was at variance with the declaration of the noble Lord. In whatever way the case before the House was viewed, it could not rest where it was at present, and if his hon. and learned friend who introduced it, did not prosecute the subject, he gave notice that he would bring it forward as a case of breach of privilege, and would move that the editor of the paper in which the statement first appeared should be called to the bar.

Mr. *Sheil* said, the noble Lord had, in answer to questions put by his hon. and learned friend, and put at his (Mr. Sheil's) instance, stated two circumstances. The noble Lord stated, that no communication had been made in support of the Bill to the Cabinet, or to any Minister of the Cabinet, by any Irish Member who had spoken and voted against it. The noble Lord had also said, that not only had no communication been made to the Cabinet by any Irish Member who had voted and spoken strongly against the Bill, but that no such communication, with a recommendation that the Bill should be passed, had been transmitted by any such Irish Member. He repeated those statements of the noble Lord, that he might be set right if he had misunderstood him, and for the purpose of showing that, whatever might be the nature of the charge against one or more Irish Members on this subject, it had now taken a shape quite different from its original form. The original charge was, that an Irish Member, who had spoken violently and voted against the Bill, had gone to Ministers and recommended that it should be persevered in without alteration. This charge had now been distinctly negatived by the noble Lord. So far, therefore, the charge as originally made was not true. He perceived by what was intimated by a gentleman on the opposite side, that he dissented from this view of the case; but he entreated that hon. Gentleman, who he believed was utterly incapable of striking a stiletto stab at the character of another, to reserve his surmises until the conclusion of the whole affair. The noble Lord, as he understood, had said, that no communication in favour of the Coercion Bill had been made or transmitted to any Cabinet Minister by any Irish Member who had voted and spoken strongly against the Bill, which was ground for a presumption, that no communication whatsoever of the kind alluded to had ever been made.

Lord *Althorp* had not meant to authorize any such inference. What he had said was, that no statement had been made, or message transmitted, in favour of the Bill to any Member of the Cabinet by any Irish Member who had voted and spoken against it.

Mr. *Sheil:* Or communicated in any way whatever. He did beg that the noble Lord would give a decisive answer. He had understood the noble Lord to add, that some Irish Members [An *Hon. Member* said: More than one.] — that more than one Irish Member, who had voted and spoken warmly against the Bill, had held language out of doors on that subject very different from their expressed opinions in the House. The noble Lord had stated, that he believed that statement; but he refused to give the name of the individual who made it, adding, "that he took on himself all the responsibility." "Now, the noble Lord having said this so unequivocally, (said Mr. Sheil), I would beg to ask the noble Lord, who has thus publicly expressed his belief of the allegation conveyed to him—I would ask him, whether I am one of the Members to whom he alludes?

Lord *Althorp:* Yes. The hon. and learned Gentleman is one.

Mr. *Sheil*, who had resumed his seat on putting the question to the noble Lord, remained in it for some moments; at length he rose and said: "Having heard the statement which the noble Lord has just made to the House, I beg on the other hand to declare in the face of my country, and if I may say so without irreverence, in the presence of my God, that if any individual has said to the noble Lord, or to others, that I gave any approbation of the Coercion Bill in private, he has belied me by a gross and scandalous calumny; but as the noble Lord has made the statement on his own responsibility, I shall say no more." [After another short interval]

Mr. *O'Connell* said, that after what had just passed he felt it his duty to the hon. and learned member for Hull (Mr. Hill) and to himself, to take the earliest opportunity of publicly retracting the language he had used towards that hon. Member. In the belief that for the whole of the allegations made by that hon. Member, and for which he had refused to give up his authority, there was no foundation, and conceiving it meant to throw imputations on all those Irish Members who had opposed the Coercion Bill, he had used very strong language in speaking of him. He now publicly tendered to him his retractation of all he had said; and he offered to give it in the House or out of it, for he now fully admitted that the hon. and learned Member was justified in what he had asserted. He was sorry that he had used any such language, and he begged the hon. and learned Member's pardon. As to the other part of the charge, which involved some other Irish Members, he would say nothing. He would leave the matter to those Members themselves who felt themselves aggrieved by it. Having said thus much, he would only state further, with respect to the Amendment which he had moved, that it was not his intention to take the sense of the House upon it, or on the Address generally. He would content himself with his simple negative.

Mr. *Hill* said, that it so happened that he had unguardedly made use of words at a public meeting at Hull, which, being without premeditation, did not make any great impression on him till his attention was drawn to them by the sensation they created. Upon this he looked into the published reports of his speech given in the newspapers. He found three reports published which differed materially from each other; and though he could not trust entirely to his memory as to the exact expressions used, he thought he could confidently say, that his words were not those stated. As far as he remembered, the words were these:—That he had been informed that a Member of Parliament (he did not even say an Irish Member) who had spoken violently against the Coercion Bill, and voted against it, had had communications with Government upon the subject, and stated to the Government that the Bill was necessary, and ought to pass. He had not considered it necessary before this time, to make even this explanation; and he thought that the different reports of the expressions given in the papers would have been sufficient to create a doubt of their authenticity, and rendered explanation unnecessary. But as soon as he found that they had created a sensation in Ireland, and among the Irish Members, he inserted a short letter in the newspapers, offering to all the Irish Members who chose to ask the question, to say whether the person asking were, or were not, the man. Many Irish Members availed themselves of that offer; and he now confidently appealed to them if he had not, in each instance, given a prompt answer. He was compelled by his feelings as a man and as a gentleman to do this much, and he could not do more. He had since seen statements in the newspapers, and had received letters calling on him to give up his authority. Of course he could not have done so. He would have crept out of existence before he would have placed another in his situation, or shifted the responsibility of his words to another from himself. He felt disposed to agree with those on the other side, who asked for examination into the subject. He trusted that no slight irregularity in form would be allowed to form a bar to inquiry, for it was important that it should be examined into, seeing that the Parliamentary conduct of Members was impugned; and it was evident, from the tone with which the House received the subject, that it was considered by them no light matter. If any Gentleman on the other side would move for a Committee to examine into the matter, he (Mr. Hill) would second the Motion; and he pledged himself to prove before that Committee every word which he had said. He could not do more, neither could he do less. He accepted the concession made to him by the hon. and learned member for Dublin. He could not, however, help saying, that the subject came heavily upon him from those charges having been made at a time of great domestic affliction and calamity. The hon. and learned Member offered further concession out of the House; but that he declined, feeling satisfied with what was already said. He had only further to add, that he begged the pardon of the House that any action of his should have cost them so much trouble.

The *Speaker* said, that it was impossible he could allow the discussion to terminate in its present state; and much as he regretted that an hon. Member had considered it his duty to bring the subject under the consideration of the House, and regretting, also, the manner in which the noble Lord had thought it necessary to answer the question, joining, also, with the hon. and learned member for Hull in his regret, that so much public feeling and private pain had ensued from the expressions made use of (as that hon. and learned Member said) unguardedly, but which expressions conveyed charges against Members of the House, which were serious in themselves, but ambiguous. He said, this, however, without imputing any improper motives to the hon. and learned Member; he thought it, however, his duty to suggest, as the case had been brought under the consideration of the House,—as an appeal had been made, and the subject was thereby brought within their jurisdiction, and the House could interfere,—it should not be permitted for the parties concerned to carry it to any other tribunal, but that the matter should be settled entirely within the walls of the House. He was sure, that there was no old Member in the House but would acknowledge, that if the speeches of Members during a debate were picked up and made the subject of proceedings out of the House, there would be an end to all freedom of debate, of the dignity of the proceedings of the House, and of their usefulness in the public service. He hoped, therefore, that whether the question were now set at rest or not, it would not be touched by either party, except within the walls of the House.

Mr. *O'Connell* was happy to have the high authority of the Speaker for what was passing in his own mind. He could not but think it would be unbecoming that this subject should pass without a public investigation; and he, therefore, hoped, that he should be allowed to bring forward, to-morrow, as the first business of the day, a Motion for the appointment of a Committee of Investigation; and he accordingly now gave notice of that intention. He was sure that no one could be more delighted than his friend (the hon. member for Tipperary), that an investigation should take place; for he had no doubt, his hon. friend would come out of it triumphantly. He could assure the hon. and learned member for Hull, that had he known of the domestic affliction to which he had alluded, he (Mr. O'Connell) would have smothered his feelings for a time, however he might have been goaded by them. He thanked the hon. and learned Member for having accepted of his apology. He was not a person whom the hon. and learned Member could have called upon to give him satisfaction in any other way; and he had, therefore, thought it his duty to be the more emphatic in his concessions.

The *Speaker* hoped, that the House would coincide with him in the course which he was about to pursue. He felt so strongly the responsibility of the situation in which he was placed, that he was most anxious that the House would agree with him in asking from the hon. Member an acquiescence in the decision of the House.

Mr. *Sheil* said, that the noble Lord, at the outset of his declaration, had referred to a private conversation, and stated, without being called upon, and by anticipation, and before he was asked any question on that subject, that he took upon himself the responsibility—that he stood as the Representative of the person who alleged the truth of the statement ["*No, no!*"]. The noble Lord had certainly said, that he would take upon himself the responsibility of the statement, that more than one Irish Member had expressed different opinions of the Irish Coercion Bill in and out of the House; in other words, that more than one Irish Member had opposed the Bill, who approved of it; and that this information was communicated to him by an individual for whom he felt respect; but he refused to give the name.

Viscount *Palmerston* rose to explain his understanding of the word responsibility, as it was used by the noble Lord, and certainly as it was understood by himself. The hon. and learned Member had called upon the noble Lord to give the name of his informant. The noble Lord did what every honourable man would on such an occasion,—he refused to give the name; but he took upon himself the responsibility of the statement he had made. But he did not take upon himself the responsibility of the correctness of the statement. He merely vouched for the fact, that the statement had been made, and he felt bound to take upon himself the responsibility of having said so.

Mr. *Sheil* said, this was not a case for diplomacy. When the noble Lord mentioned that he would not name his informant, he added, that he would take upon himself the responsibility. Now he (Mr. Sheil) charged the noble Lord's informant with falsehood in alleging that he had expressed himself favourable to the Coercion Bill, and the noble Lord took upon himself the responsibility.

Lord *Althorp* rose to explain his meaning. He had stated he had had information, that Irish Members who voted against the Coercion Bill approved of it; that he would not give up his informant, and would take upon himself the responsibility of not doing so.

Sir *Robert Inglis* said, that his impression of the meaning of the word responsibility, as used by the noble Lord, was just that which was all along affixed to it by the noble Lord. He could not have meant it in the conventional sense attributed to it by the hon. member for Tipperary. Could any man, either in or out of the House, understand the expressions of the noble Lord in any other sense than that in which he himself had stated he had used them? He called on the House to assert the authority of the Chair, and not allow the question to be pursued.

Colonel *Evans* understood the noble Lord to have said, that some Members had spoken differently in private from what they had expressed as their opinions in public. Now, these words did not impute a very serious degree of impropriety in any man, if no further explanation were given of them, or if not in direct contradiction to his public acts.

Lord *John Russell* coincided with the Speaker in thinking that the privileges of debate would be injured if this question, and such questions as it, were not kept within the jurisdiction of the House. He hoped that, the House would insist, that both the noble Lord and the hon. and learned Member should either tacitly or expressly agree—and that in a manner which could leave no doubt of their meaning—that they should not carry the question beyond the walls of the House.

Mr. *Sheil* said, that the preliminary intimation came from the noble Lord himself, that he would take upon himself the responsibility; and he (Mr. Sheil) thought it unfair, that he should be called on to take a different view from that to which he had been invited by the noble Lord.

The *Speaker* was satisfied, that the hon. and learned member for Tipperary felt differently on this subject from any other Member in the House. He had allowed the subject to be proceeded with, from the conviction that the Orders of the House should be enforced, and that the question being once brought before the House, should not be allowed to be dealt with out of doors. And if he now saw reason to doubt, that the Orders of the House would be observed, unless an injunction were laid on the hon. Member, he should consider it his duty to impose an injunction on either, or both. He need hardly add, that if the hon. member for Tipperary would not yield to the decision of the House, he must be restrained by its authority from doing anything further in this question but with its permission.

Sir *Francis Burdett* fully coincided with the suggestion of the Speaker. The adoption of that suggestion was necessary to preserve the freedom of discussion; and he (Sir F. Burdett) should move, that the House acquiesce in the suggestion of the Speaker, and that the noble Lord (the Chancellor of the Exchequer) and the learned Member (Mr. Sheil) should be put under restraint.

The *Speaker* said, that after the expressions which had fallen from the hon. and learned Gentleman, he trusted the House would permit him to express his belief, that no Member of that House would impute to him (the Speaker) the wish or intention voluntarily to impute a meaning to words made use of by any hon. Member. He trusted that the House would permit him to say, that he would be the last man in the House to assume to himself the privilege of dictating to it the course it should pursue; but after the general expression of the feeling of the House, he would at once venture to call upon the hon. and learned Gentleman to assure the House, that, his case having been brought before them, to their consideration and judgment it must be left.

Mr. *Sheil* said, surely the House must see the peculiar predicament in which he was placed by these preliminary proceedings (for such he might term them). The

House would remember, that when the noble Lord, the Chancellor of the Exchequer, in the first instance volunteered a reference to private conversation, and stated his belief in the information which he had received, he (Mr. Sheil) immediately requested that noble Lord to give him the name of his informant. To that request the noble Lord had not acceded; thus leaving him no other resource than that which he had adopted. If that noble Lord had no intention of intimating from whence his information was derived, or if it was his determination to make no concession on his part, why did he invite him (Mr. Sheil) to pursue that course which he had of necessity adopted? The noble Lord was surely not called upon to refer to private conversation, or to state either his belief or disbelief of the information which had reached him, but he had gone beyond this question. The question which had been put was simply, whether any Irish Member or Members went to a Cabinet Minister for the purpose of making a communication to the Ministry, and whether they made any communication for the purpose of inducing Members to take a particular course? Now, the noble Lord, not content with answering this question most unequivocally, went beyond that, and stated that notwithstanding no individual Member made any such communication to the Cabinet, yet that he believed that more than one Member had expressed certain opinions in private conversation. He submitted, therefore, that it was the noble Lord, and not himself, who had offended, if offence there had been, against the rules of the House. Let him entreat the House to give him a patient hearing. A deep wrong had been done him. The noble Lord had gratuitously declared his belief in a statement vitally affecting his character, and yet the noble Lord refused to give the name of his informant. He had a right to ask who was the person that made the communication? What manner of man could he be? He made a statement to the noble Lord, or to some other person who brought it to the noble Lord, foully and infamously false; and, having done so, he allowed matters to proceed to their present point, without declaring himself. The name of such a man ought to be exposed. For aught he knew to the contrary that anonymous informant might have picked from some phrase out of his private conversations, and, grossly and infamously falsifying what he had said, had imposed upon the noble Lord. The House, under these circumstances, was not justified in calling upon him for any promise. He had said nothing offensive to the House or offensive to the noble Lord. The very moment that the noble Lord had assumed to himself the responsibility, and refused to give up the name of the author of the calumny, he felt that he had but one course. He might have told the noble Lord, had he been desirous of being offensive, that the noble Lord had made himself a participator in the falsehood; that, by screening the slanderer, the noble Lord himself must be content to bear the character. That, however, he had not done; and he repeated, that he was the party who had real and substantial ground for complaint.

Mr. *John Stanley* put it to the hon. and learned Member to consider whether it was at all likely to clear his honour from the charge by fastening the responsibility on the noble Lord. Surely it would be much better to have the matter thoroughly investigated than to press the responsibility upon the noble Lord, to whom the question had been put as a Minister.

The *Speaker* said, that if the hon. and learned Gentleman thought he meant to place him in a worse situation than he would any other hon. Member under similar circumstances, he did him an injustice. The reason why he was averse, if it could be avoided, to the House coming to any fixed Resolution on the subject was, that those hon. Members who did not take part in the proceedings that evening, as well as those who did, might think that every personal quarrel that occurred between hon. Members ought to be brought before the House for its decision. He (the Speaker) was sure the hon. and learned member for Tipperary would not better his position by refusing to comply with the wish expressed, that he would pledge himself not to take any proceedings in the matter out of the House. The hon. and learned Gentleman, he was certain, would, on cool calculation, see the reasonableness of the view which he took of the question. If the hon. Member did not make the suggested pledge voluntarily, the House must do its duty, however reluctantly.

Sir *Robert Peel* thought it extremely desirable that the hon. and learned Member should be fully convinced that the House had no intention whatever of imposing upon him a line of conduct that could by possibility be deemed derogatory to his personal honour. The question appeared to him to stand thus: There was a charge against the public character of the hon. Member, but there was none other. The House, therefore, required from the hon. and learned Member a declaration that he would not resort to means well understood and foreign to the rules of that House to relieve himself from the charge. The House asked from the hon. and learned Member no concession whatsoever. It had never occurred to him that the noble Lord, when he used the word "responsibility," meant to place himself in personal opposition to the hon. and learned Gentleman. All that he understood was this, and he believed it was the general feeling of the House, that the noble Lord, being asked as a Minister whether or not a certain statement had been made, said it had, and that he believed in the person who made the statement, but that he could not disclose his name, and, therefore, he took upon himself the responsibility of declaring that there had been such a statement.

Mr. *Sheil* said: "Will not disclose."

Sir *Robert Peel:* Why, the noble Lord could not. It was impossible he should mean to attach to himself a personal responsibility.

Mr. *Sheil:* He said so.

Sir *Robert Peel:* The hon. and learned Member fixes a technical meaning upon the word. He declared solemnly upon his honour, as a man and a gentleman, that he could see nothing in the slightest degree derogatory in the course proposed to the hon. and learned Member. No concession was asked. On the contrary, the hon. and learned Member was left at perfect liberty to take whatever steps he thought necessary for the vindication of his public character, in the assembly in which it had been attacked; and that assembly had a perfect right, and was bound to require at his hands, an assurance that that which was properly within its jurisdiction should not be transferred to another.

Mr. *Sheil* repeated, that he could give no such assurance as that required. He did not feel that the House had any right to make the demand. With respect to the meaning he attached to the word "responsibility," as used by the noble Lord, he could not see that it was in the least other than it ought to be.

Mr. Secretary *Stanley* was convinced that the whole of the present conversation arose out of a misunderstanding on the part of the hon. and learned Member, of the sense in which his noble friend had used the word responsibility. It was, he believed, evident to almost every Member in that House that nothing personally offensive had been intended. The question put to his noble friend was this—"Did you or did you not hear such a report?" He replied that he had heard it from parties worthy of credit—that he believed them; that the matter, however, must rest with him, for that he should not go further, and make public the source whence he had derived his information. Now, if saying that was to be esteemed an act of personal provocation, he confessed himself unable to comprehend how public affairs could be carried on. With all possible respect for the feelings of the hon. and learned Gentleman, he must be allowed to say, that after it was so evident that his noble friend was perfectly unconscious of offensive tendency in the language he had used, and when all the Members of that House who spoke upon the subject were also of opinion that it was free of offence, the hon. Member scarcely could be warranted in not coming forward and frankly declaring that he had no intention of following up the matter further.

Lord *Althorp* said, that what he meant when he used the word "responsibility," was this:—A statement had been made to him, in which he believed. He felt when the question was put to him that a declaration to that effect was likely, indeed must give offence, and, therefore, he determined himself to vouch that such a statement had been made, to declare his belief in it, and not to disclose the name of the person who had made it, but to take upon himself the responsibility. If offence, therefore, had been given he was answerable.

Mr. *O'Connell* said, it was quite clear that it was the noble Lord who ought first to be called upon to give an assurance to the House that he would be a party to no proceedings out of it.

Colonel *Leith Hay* thought, that a more injudicious course to himself, than that which the hon. and learned Gentleman was pursuing, could not be adopted. He would do well to consider the suggestion which had proceeded from the Chair. If he sought to vindicate his character, the course proposed by the hon. and learned member for Dublin was the best calculated to carry conviction to the mind. But on the other hand, to endeavour to fix responsibility on his noble friend, who only spoke when called upon in his official capacity as Minister, appeared to him to be conduct unworthy of any Member of that House. For his own part, as an individual Member of the House, he did not hesitate to avow, that similar communications had been made to him respecting the conduct of certain Irish Members, but he also would refuse to give up the names of his informants, and was ready to take upon himself any responsibility that might attach to this statement.

Sir *Francis Burdett* said, that if it should be found impossible to induce the Gentlemen between whom the dispute had occurred, to take the course desired by the House, he trusted the House would exercise its authority. No good could result from any other course of proceeding. He put it to the hon. and learned Member to consider that no concession was asked from him. By the Motion he had proposed to make, the hon. and learned Member and the noble Lord would be put precisely on the same footing; and, unless they would voluntarily and gracefully comply with the arrangement, the House must exert its authority. He begged, therefore, formally to move—

The *Speaker* said that, before the hon. Baronet made his Motion, perhaps he might be allowed once more to urge that arrangement which appeared to him in every way so desirable. If the hon. and learned Gentleman considered the matter, the hon. and learned Gentleman would see that he had no choice, but was compelled first to call upon the hon. and learned Member for the assurance he had requested. If he had made the like request from the noble Lord, the reply might have been that the noble Lord had received no offence; that nothing had occurred which would justify the supposition that he intended to take any steps out of that House with reference to the conduct of the hon. and learned Gentleman. The case, however, as it bore upon the hon. and learned Member was very different. It was the language of the hon. and learned Member that had excited his suspicions, and induced him to suggest to the House to call for the assurance which the House evidently thought necessary. Having said thus much, he must also suggest to the hon. and learned Member that the instances were rare indeed in which, under circumstances of a similar character, the expressed wish of the House had not been fully complied with, without there being any necessity for a Resolution being adopted.

Mr. *Hardy* agreed with the hon. Baronet (Sir Francis Burdett) in thinking, that if the House found it necessary to take any step, the proceeding should bear equally on the noble Lord and the hon. and learned Member. But he thought that the situation in which the hon. and learned Member was placed was one of great cruelty. A communication had been made to the noble Lord affecting the hon. and learned Gentleman's character; and when the noble Lord was asked for the author, his reply was, no, he would give no name, but would take the responsibility on himself. This communication somehow or other found its way to the hon. member for Hull, and was by him made public; and, therefore, he concluded that the hon. and learned Member had a full right to a complete investigation. With respect to the alleged machinery said to be used by the Government to gain votes, he must say he could not credit it. It appeared to him impossible. But he repeated that the position of the hon. and learned Member was a cruel one. On the one hand, the noble Lord vouched for an assertion affecting deeply the character of the hon. and learned Member; on the other hand, the hon. and learned Member solemnly declared that the assertion was false and foul. When the noble Lord was asked for his authority, the reply was, no, he took the responsibility on himself; and yet the House required the hon. and learned Member not to take any steps without its jurisdiction. That was a course the House ought not to take without resolving on inquiry.

Mr. *Ruthven* complained that little encouragement was given to Irishmen to speak whilst people made noises, which were perfectly discreditable on the present occasion; for whilst they were talking of responsibility, there was no responsibility to be incurred which could equal the want of courtesy evinced by certain anonymous laughers. He was sorry to find that on some occasions the private feelings of parties were disregarded. For his own part, he did not wish to make what was already unpleasant a great deal more so. He thought that the noble Lord had come forward in a most candid manner, and he was the last man to call upon that noble Lord to pledge himself to any responsibility in virtue of his official situation. He felt that the noble Lord had not meant, in using the term responsibility, to convey anything thing more than the meaning generally attached to it; though, perhaps, his hon. and learned friend's feelings had led him to interpret the word in the way in which it was made to apply on particular occasions. But he never could allow such a statement as had been made, to go forward in a manner to give it credence with a certain set of persons. He asked not, however, for any personal collisions; but he did ask for an opportunity to be afforded to the hon. and learned Gentleman to set himself right in reference to the imputation which had been cast upon him, an imputation, too, which was as unjustly attributed to that hon. and learned Gentleman as it would be if applied to himself. It was under these feelings that he would observe that the Irish Members would forget what was due to his hon. and learned friend, and to themselves, if they did not demand that an inquiry (with the acquiescence of the noble Lord) should be made. He wished to have this object attained, as, in that case, he believed the report which had been circulated would turn out to be a calumny.

Sir *Henry Hardinge* said, he was persuaded that every Member of the House must feel that the noble Lord was restrained by a high sense of honour from disclosing the name of his informant; but, on the other hand, the hon. and learned Member had solemnly asserted that the statement vouched for by the noble Lord was false and foul. Under these circumstances, it was a difficult matter to say how the House could interfere without imposing a restraint on the honour of one party or the other. But the proposition of the hon. Baronet appeared to him to be perfectly just, with this condition, that there should be a full inquiry. Let the hon. and learned Member have that assurance from the House. He, therefore, would second the Motion of the hon. Baronet, with that addition.

Mr. *Cobbett* said, the sort of proceeding which had been often alluded to, he for his part held in very great contempt. He thought the hon. and learned Member had been very hardly dealt with. The case was simply this:—A man goes into a company and he says, "I am informed that one of you stole a horse, but will not tell you my authority. I take the responsibility on myself." Well, one of the company says, "Am I the man you charge with stealing the horse?" The accuser replies, "Yes, you are." To which the retort is, "You lie." Well, then, the person who brought the charge must bear all the responsibility.

Mr. *Abercromby* expressed his regret at the circumstance which had given rise to this discussion, but he hoped that the House of Commons would not shrink from the prosecution of its duty. He hoped they would not separate until they should have taken such effectual means as should prevent any such consequences as those which were likely to arise if the matter were allowed to remain as it then stood. The hon. and gallant Officer seemed to think, that a necessary condition in the present case must be, that an inquiry should be proposed, and a Committee appointed. Now he would object to the House being clogged with any such proceedings; for even if such Committee were appointed, he should still say it was not necessary to fix this as a condition upon which the House should rest. He objected to a Committee, as it would decidedly be a novel mode of proceeding, and before he should be prepared to grant inquiry, he must have time for reflection, but at the present time he was not prepared to come to a conclusion. With regard to the hon. and learned Gentleman, he was sure that no person who had taken a part in this discussion, was disposed to do anything which should be inconsistent with his honour. It was perfectly clear that, whether the Members concerned voluntarily gave their assurances that the matter should not go further, the necessary restraint must be imposed upon them. He would submit to the House, whether the House should not adopt the suggestion of the hon. Baronet, the member for Westminster, for the purpose of settling the matter in question.

Mr. *Halcombe* thought it was the duty of the noble Lord, before the hon. and learned Member was called upon to give any pledge, to promise that a full inquiry into the subject in dispute should take place, and that the noble Lord would, if required, go into a full explanation of his conduct. Without such a pledge, he did not think it would be fair to exact submission to the opinion of the House on the part of the hon. and learned Member, but with it, in the event of a refusal on the part of the learned Member to bow to their decision, they would, in his opinion, be justified in proceeding to the utmost extremity.

Mr. *O'Dwyer* thought, if the authority of the House was to be appealed to, in restraining his hon. and learned friend from adopting such measures as in his judgment might appear most fitting for the vindication of his character, while at the same time the noble Lord was to be left free and unshackled, they were bound in justice to impress on the noble Lord the propriety of retracting one expression which he had made use of. He (Mr. O'Dwyer) understood the noble Lord to say, that he fully believed the statement of his informant [" *No, no.*"] [Mr. *Sheil:* He did, he did.] It was certainly his (Mr. O'Dwyer's) impression, as well as that of many hon. Members who sat near him, that the noble Lord had so stated; and, unless the noble Lord distinctly denied it, he was bound to take it for granted that such was the fact. The case then stood thus:—The noble Lord had published an imputation against the character of his hon. and learned friend which, if it were true, would render him not only unworthy of a seat in that House, but in every sense an unfit associate for any man possessing the feelings or character of a gentleman. This imputation, the noble Lord stated, did not originate with himself, but reached him through a third person. Was it, under these circumstances, too much to ask of the noble Lord whether or not he believed that the charge he made had foundation? The noble Lord took upon himself to publish that charge to the world, but he had done so without expressing one particle of disbelief in the statement of his skulking informer. No, the noble Lord had not expressed his belief that his informant might have exaggerated the alleged conversation, or that in a spirit of exaggeration he might have ingeniously tortured an expression which his hon. and learned friend dropped inadvertently. The noble Lord had adopted the entire calumny, and with great respect he (Mr. O'Dwyer) urged it upon the House that, unless they called for a retractation of the noble Lord's expressions, they would be acting with great injustice in demanding of his hon. and learned friend to make the required submission. He would not detain the House further than to say, that the statement of the hon. and learned member for Hull, contrasted with that made by the noble Lord, ought now to be regarded as false. It now appeared that there was no transaction whatever such as that hon. and learned Member had related to his constituents at Hull. A more outrageous, unjustifiable, and unprincipled attack never was made on the character and honour of any set of men than that which the hon. Member had promulgated, to whom he begged to observe that he owed it to his own character, as much as he owed it to the injured feelings of the parties whom he had been instrumental in slandering, to place his informant in such a position that he might receive the punishment his falsehood and malice so loudly called for.

Sir *Francis Burdett* said, that it now only remained for the Speaker to call on the hon. Members in turn to give their assurance to the House, that nothing which had there taken place that evening should be personal beyond its walls, and that the subject in dispute, having been placed under the consideration of the House, should be allowed to abide its decision.

Mr. *Hill* wished, before the Speaker rose, to say one word in reply to the observations just made by the hon. and learned member for Drogheda. Every syllable of what he had stated to his constituents at Hull, he had heard—he believed at the time—he still believed. He was willing, as he had already offered, to give his best exertions for having the matter placed in a train for inquiry; and if, on the termination of that inquiry, it should turn out that he had been misinformed, he pledged himself, without adopting the precise expressions used by the hon. and learned member for Drogheda, to adopt their meaning to the fullest possible extent, and, as far as was in his power, to visit his informant with the punishment his deception would then so imperatively call for.

The *Speaker* was sure the House felt with him, that the longer the present discussion was persevered in, they were only likely to get the further from the real merits of the case, and the deeper in painful misunderstanding and misrepresentation. He presumed he was now fully authorized by the House to call on the two hon. Members to give an assurance to the House, that the matter under dispute should not be prosecuted out of its walls, but should abide the inquiry, which he believed he was correct in saying it was intended it should undergo. Before doing so, however, he desired by way of preface to observe, that nothing could be more mistaken than to suppose an intention on the part of the House to impose upon the hon. and learned member for Tipperary restrictions and terms different from those by which it was proposed the noble Lord should be bound. The same assurance, in the same terms, would be required from both parties; nor would the one be more restricted or bound down than the other. He wished further to observe, that if an hon. Member, having been called upon from the Chair, in pursuance of a Resolution of the House, to give a required assurance, should refuse to answer that call, the House had the power, and further, he would say, it would be its imperative duty, to carry such their Resolution into execution, by ordering the individual so offending into the custody of the Sergeant-at-Arms. There was no alternative so long as the House performed its duty; and he, therefore, hoped the hon. Members whom he was about to call upon would at once see the justice of the course pursued towards them, and willingly comply with their demand, instead of requiring the House to assert its authority by compelling compliance. He would first call upon the hon. and learned member to give the required assurances, but he trusted the observations he had just made would clear away from his mind the impression (supposing it to exist) that because he called on him first he had the remotest intention to impose on him restrictions differing from those which he would subsequently have to require from the noble Lord. Having said so much, it only remained for him, in the discharge of his duty as Speaker, formally to call upon the hon. and learned member for Tipperary "to assure this House, that the matter now before this House shall not be prosecuted by him out of its walls, but shall be left to abide such discussion as, upon inquiry into it, the House may think proper to come to." The right hon. Gentleman, on resuming his seat, immediately called upon Mr. Sheil by name.

Mr. Sheil was in the House, but did not answer to the call. After the lapse of a few minutes,

Sir *Francis Burdett* rose, and moved, "That Richard Lalor Sheil, having declined to obey the Call of the House communicated to him through the Chair, be taken into the custody of the Sergeant-at-Arms." The hon. Baronet observed, that nothing would mortify him more than the reflection of having urged a proposal likely to tarnish in the smallest degree the character or honour of a fellow-man; but, as he was confident such a charge could not in the present instance be made against him, he felt it his duty to persevere in the course in which he had set out.

The *Speaker* begged to remind hon. Members, that they had come to a mere point of order, and the regulations of the House upon it were so precise as to admit of no further discussion. The House had instructed him as the Speaker to call upon the hon. and learned Member for an assurance; the hon. and learned Member had not, for certain reasons, answered that call: and it now only remained to assert the authority of the House, in pursuance of its strictly and well-defined regulations. He would, however, venture to suggest to the hon. Baronet, that in order to give the hon. and learned Member time to consider his position, he should postpone his Motion until the other business of the day was concluded.

Sir *Francis Burdett*, would, of course, bow to the suggestion of the Chair.

The Speaker formally called upon Lord Althorp to give the like assurance demanded from Mr. Sheil.

Lord *Althorp* immediately rose, and said, that as he had received no offence, he could have no hesitation in declaring an intention of not following up the matter under consideration, by any proceedings out of Parliament. He had received no provocation whatever; consequently could entertain no hostile intention towards the hon. and learned Member, or any Member of that House.

On the noble Lord resuming his seat, Mr. O'Connell made some observation to the hon. Member sitting next him, which was not heard in the body of the House.

Lord *Althorp* immediately rose, amid

loud cheers, and with considerable warmth, demanded to know, what the hon. and learned Member meant by his gesticulations.

Mr. *O'Connell*:—Simply that I entertain a deep sense of the injustice done to my hon. and learned friend; that I am penetrated with the sentiment, that he is not getting fair play. I have ever entertained a strong abhorrence—every one who hears me will admit that I have reason to do so—to the practice of duelling; but there never was a stronger instance of the injustice and absurdity of what were called the laws of honour than the present. True, the noble Lord has received no offence, but he has given one. The noble Lord has pledged himself, as easily he might, that he will not send my hon. and learned friend a hostile message; but has he pledged himself that he will not respond to a challenge? The answer given by the noble Lord was in point of fact a mere delusion, and yet the House was content with it. Until the noble Lord pledged himself not to respond to any proceedings out of the walls of Parliament, I must say, that the noble Lord, equally with my hon. and learned friend, has declined complying with the Call of the House.

Lord *Althorp* had to observe, that he had given the only answer he could to the demand which had been made on him. He had pledged himself not to take any proceeding with reference to the matter before the House without its walls.

The *Speaker* said, he certainly understood the noble Lord to pledge himself, that he would not out of the walls of that House, himself either originate proceedings upon the matter in dispute, or respond to any proceedings emanating from the hon. and learned member for Tipperary. To that extent he conceived himself to have been charged by the House—to that extent he meant to call upon the hon. and learned member for Tipperary—to that extent he meant also to call upon the noble Lord—to that extent he understood the noble Lord's answer to go; and, unless he contradicted him, he would still presume, that it was to that extent the noble Lord had pledged himself to the House. He now called upon the noble Lord to say, whether he had been right or wrong in his supposition?

Lord *Althorp*, after a pause, said, that a consideration for what was due to himself must prevent him from giving a pledge not to respond to any call that might be made upon him.

Sir *Robert Peel* thought, there was another party deserving of some small consideration in the present matter, and that was the House. He felt the hon. Baronet would now only discharge his duty by amending his Motion, and at once moving, that both the noble Lord and the hon. and learned Member be committed to the custody of the Sergeant-at-Arms.

Sir *Francis Burdett* felt that the course suggested by the right hon. Baronet, was the only one now left to him; and would therefore move, "That Lord Viscount Althorp, and Richard Lalor Sheil, having declined to comply with the Call of the House communicated through their Speaker, be committed to the custody of the Sergeant-at-Arms."

The Motion carried, *nemine contradicente*.

[After the lapse of a few minutes, Lord Althorp first, and then Mr. Sheil, rose to leave the House, and were immediately taken into custody.]

The Question was put on Mr. Finn's Amendment to the Address, and negatived without a division.

LORD ALTHORP AND MR. SHEIL.] Mr. Secretary *Stanley* rose, and spoke as follows:—Mr. Speaker,—it is not my intention, Sir, to offer any observation, or to renew in any shape whatever, any discussion upon the merits of the question which has so long and so painfully been under the consideration of this House upon the present evening. I am, Sir, the bearer of a communication, which I trust will give the same satisfaction to this honourable House, which it has unfeignedly given to me and to our mutual friends. Sir, my noble friend (the Chancellor of the Exchequer), whose conduct was under the review of this House this evening, felt that he had done as much, and that he had gone as far as he could fairly be called upon to go, when he had stated to the House, that he was willing to enter into an engagement, that, in consequence of what had passed, he would take no active steps in the affair whatever. The House, in its wisdom, had judged this not to be sufficient, and looking to the exercise of its authority, and the vindication of its dignity, in the enforcement of its own views, it had taken that extreme step, almost the extremest it could take, which had placed both parties under an authority, which made it physically and morally impossible that any hostile collision could take place. Sir, I am authorized to say on the part of my noble friend, that although he had expressed opinions of his own, he bowed to the authority of the House with the respect that he owed to it. In fulfilling this duty I am also bound to state, that my noble friend has acted by the advice of his colleagues, who, on no occasion, would for any consideration on earth, hint to him advice which could in the slightest degree be discreditable to his character, or could cast the slightest shade on his untarnished reputation. In consideration of the respect which the noble Lord owes to the authority of the House, and to the course of the public business, which might be materially impeded without his presence, he authorizes me, Sir, to give, on his part, the assurance, that he is ready to make the declaration which the House requires, and which it has enforced—namely, that he will not take any steps himself, nor respond to any hostile message, in consequence of the proceedings that had taken place in the course of this evening. Having made this statement, which I trust will be to the House as satisfactory as it is to me, and feeling confident that my noble friend opposite will view it in the same way, I have only to move, "That Lord Viscount Althorp be discharged from the custody of the Sergeant-at-Arms."

Mr. *Hume* rose to second the Motion. He had given his vote with great pain; but he had felt that there was no alternative but to support the rules and regulations of the House. The manner in which the noble Lord had yielded to the wishes of the House must add to his high character.

The *Speaker* said, that having already had occasion so frequently to address the House in the course of the evening, most painfully, he hoped he might be permitted, before putting the question, to say two words expressive of the deep satisfaction he felt at the conduct of the noble Lord. He cordially concurred with the hon. member for Middlesex, that after the speech which had been made by the right hon. Secretary, there could not exist two opinions in the House upon the course which had been pursued on the present occasion by Lord Althorp—a course which, if possible, had increased the high estimation in which the public as well as the private character of the noble Lord was held.

The Question carried *nem. con.*

Mr. *Shaw* begged to suggest to the Speaker the propriety of calling on the member for Hull to make the same assurance to the House as had been required from the noble Lord (the Chancellor of the Exchequer) and the hon. and learned member for Tipperary.

Mr. *Hill* said, it was his anxious wish to place himself under the guidance of the House. If the Speaker thought it right that he should make to the House such an assurance as the hon. member for the University of Dublin alluded to, he should most certainly feel bound to obey the call of the right hon. Gentleman.

The *Speaker* thought, that after what had just fallen from the hon. and learned member for Hull, the House would feel it to be unnecessary for him to call on that hon. and learned Member for any further assurance. The statement just made would be received as an assurance on the part of the hon. and learned Member that he would not take any steps in this matter of which the House could not approve.

Mr. *Hume* stated, that in consequence of what had passed, he and other friends of the hon. and learned member for Tipperary (Mr. Sheil) had communicated with that Gentleman; and he had the satisfaction to state on the part of his hon. and learned friend, that he felt anxious to show his respect for the orders of the House, and that, without giving any opinion upon the subject which had led to the situation he was then in, he had come to the determination of submitting implicitly to their wishes. He, together with the other friends of the hon. and learned Gentleman, had stated to him that by adopting this course, so far from acting in a manner derogatory to his character as a man of honour, he would be taking the most effectual means of supporting it, and placing it in a higher and more worthy station than before. In following the advice tendered to him by his friends the hon. and learned Gentleman was actuated solely by a spirit of obedience to the orders of that House, which it was, upon all occasions, the duty and the interest of every Member individually to uphold. He moved, "That Richard Lalor Sheil, Esq., be discharged out of the custody of the Sergeant-at-Arms." He offered, on the part of that hon. and learned Gentleman, an assurance that no proceedings should be taken by him with reference to the subject which had placed him in custody, out of the walls of that House.

Sir Edward Knatchbull seconded the Motion.

The *Speaker* said, he could not but express his gratification at the course which the hon. and learned Member had adopted. The House, and the country at large, would feel, that he had been rightly advised by the hon. member for Middlesex and his friends, when he was told, that he would best maintain his own honour, and best consult his personal dignity in upholding the dignity and character of that House.

The Question carried *nem. con.*

HOUSE OF LORDS,

Thursday, February 6, 1834.

Answer to the Address.] The Lord Chancellor informed their Lordships, that his Majesty had been pleased to return a most gracious Answer to their Address, which he would read. The noble Lord read, as follows:—

"My Lords;

"I thank you for your loyal and dutiful Address.

"The assurances which you give me of your fidelity and zeal in the discharge of your important duties, and of your firm resolution to support the established institutions of the State, are such as I expected from you, and are, I am confident, in perfect accordance with the general feeling of my subjects.

"On my part, you may rest satisfied, that I shall never be unmindful of the sacred obligations attached to the station to which the Divine Providence has called me; and that the power thus vested in me will never be employed but for the safety, honour, and welfare of a brave and loyal people, whose liberties, as the surest supports of our national prosperity and greatness, I shall always hold it to be my first duty to protect and to maintain."

On the Motion of the Earl of Shaftesbury, the Address and Answer were ordered to be printed.

HOUSE OF COMMONS,

Thursday, February 6, 1834.

Minutes.] Bills. Read a first time:—Turnpike Roads Continuation; Factories Act Amendment; and Recovery and Possession of Lands.

Petitions presented. By Mr. Potter, from John Adams, for the Abolition of the National Debt.—By Mr. A. Johnstone, from St. Andrew's, respecting Church Patronage (Scotland).—By Mr. Evans, from Doneraile, for the Abolition of Tithes.—By Mr. Ewart, from Liverpool, for an Alteration of the Law for Rating Small Tenements; and by Viscount Palmerston, from Dissenters at Rumsey, for a Redress of Grievances.

Answer to the Address.] The Speaker acquainted the House, that he had received his Majesty's most gracious Answer to the Address of that House, which was as follows:—

"I thank you for your loyal and dutiful Address.

"I rely with confidence on the readiness which you express to provide such supplies as may be necessary to support the honour of my Crown and the interests of my dominions.

"I receive also with the greatest satisfaction the renewal of your assurance, that you will co-operate with me, in support of the determination which I have expressed to preserve inviolate the legislative union between Great Britain and Ireland; and I shall feel it my duty to co-operate with you in such legislative improvements as may be necessary to remove any grievances under which any portion of my subjects may be labouring."

The Address and Answer were ordered to be printed.

Breach of Privilege—Character of Irish Members.] Mr. *O'Connell* rose to direct the attention of the House to a breach of its privileges, and, after what had passed last night, it required very serious and deliberate investigation. It seemed to him generally understood, that the House had exercised its jurisdiction over two individual Members; and that the House had itself attached the matter then in controversy, which it was competent both to investigate and to redress. It was exceedingly desirable, that the characters of Members in the performance of their parliamentary duty should be ascertained — that the individuals might meet reproach if they deserved reproach, and confidence if they deserved confidence. He was himself, and so was his hon. and learned friend, the member for Tipperary, exceedingly anxious that an investigation of the facts should take place in a manner the most complete and satisfactory; and if there were any doubt in his mind as to the mode of proceeding, it arose out of the difficulty of bringing the subject within the rules of the House as much as was practicable or possible. He was quite ready in this respect to adopt any course which might be suggested by persons of greater experience, and whose feelings were not, like his, necessarily interested. He should be glad to avail himself of any aid that could be given by individuals who were able to maintain neutrality. For the present, his hon. and learned friend the member for Tipperary, and others were accused parties; they had been accused in no very measured language, for any language was extremely comprehensive which imputed deliberate treachery as between Members of the House and their constituents. For such a purpose it was not necessary to use vituperative terms; and certainly no man would deserve to be a Member who did not feel the deepest anxiety for the most prompt, efficacious, and honourable vindication of his character before a tribunal above the possibility of suspicion. As his own experience could not direct him in the proper course, he threw himself on the indulgence of the House, if he mistook the manner in which it was fit, in such a case, to proceed. He had last night read in a newspaper an extract from a speech attributed to the hon. member for Hull, and delivered at a public meeting in that town; and he did not know, that he could bring it before the House in any other shape than by considering the publication a breach of privilege. It was more particularly a breach of privilege, because the language attributed to the hon. member for Hull was not admitted by him to be that which he employed; on the contrary, a most important portion was different from what he uttered. He alluded emphatically to the secret machinery by which votes in this House were said to be procured. The speech attributed to only one individual this species of duplicity in his communication with Ministers. That part of the accusation had been disclaimed by the noble Lord, the Chancellor of the Exchequer: he denied that any such communication had been made to a Cabinet Minister. He (Mr. O'Connell) adopted this as the only basis that he knew of on which to found an inquiry. He was anxious that the inquiry should not be limited, but should be as extensive as possible; and it was the more necessary as the hon. member for Hull, as he understood, had given a kind of pledge to prove the fact he had asserted. He wished that hon. Member (Mr. Hill) to have the fullest opportunity of proving the fact. Therefore, he took the publication in the newspaper as the basis of the inquiry; and, speaking under correction, he wished a Committee of Privileges to be appointed to investigate the matter. After having so referred the question, he proposed to extend the powers of the Committee, so as to include every mode and shape in which the accusation could possibly affect the integrity of his excellent, honorable and esteemed friend, the member for Tipperary. The publication to which he alluded was, *The Examiner* newspaper, of the 10th November; and he meant, that the clerk should first read the passage, and then that the whole should be referred to a Committee of Privileges, to ascertain the facts, and report upon them to the House. First he should content himself by moving, that the paragraph be read.

Mr. Secretary *Stanley*, before the paper was read at the Table, wished to ask, whether the House, by the act of reading it, would be bound to take any consequent steps with regard to the printer or publisher? If that were not the case, he should have no objection to the reading by the clerk, as a preliminary to any motion the hon. and learned Gentleman might wish to make. If it were the case, he took the earliest opportunity of stating unhesitatingly, that he should object to the preliminary Motion.

The *Speaker* said, that the reading of the paragraph would not necessarily commit the House to any proceedings against the printer, unless, upon the reading, it should be further determined, that the paragraph contained matter which the House, having noticed, would be bound, in vindication of its privileges, to visit with its displeasure or punishment.

Mr. Secretary *Stanley* said, that, after the explanation they had heard from the Chair, he did hope the House would take no step in this matter without due deliberation upon the consequences which that step might involve. It was impossible for any person, who heard the painful discussion of last night, not to have entertained the deepest regret at what then occurred; and it was quite as impossible for them not to see, that there was no escape from the difficulties in which they were now involved, without some further proceedings to be hereafter determined on by the House. He owned, that it had been to him a subject of deep regret, and he had stated it at once to his noble friend, that his noble friend should have felt himself called upon, although by a high sense of honour and feeling which no man could fail to appreciate, to give a public answer in that House to the questions put to him on such a matter. And, although he intended to attach no blame to any quarter, he must yet say how much he regretted, that, at an earlier period of the debate, the authority of the House had not been interposed to arrest its progress. But those regrets were now unavailing, and he thought it must be evident to every man who heard him, that the course they might take in the difficult situation in which they were now involved, would create a precedent that must hereafter have a very considerable influence, not only upon the private comforts of society, but also upon the conduct of public men in the discharge of their public duties. He held, that the House of Commons might, not only for the protection of its own privileges, but for many other purposes where the public interest demanded it, exercise powers almost inquisitorial. Yet he must say, that there was no subject to which he should be inclined to apply those powers with so much of shrinking caution, or with so deep a reluctance as one involving the introduction of private conversation into matters of public discussion. He implored the House to contemplate the effects of such a course. Not only would the freedom of debate in that House be impeded by it—not only should they thereby be hanging a clog upon their tongues by which to prevent the free exercise of the right of speech from the fear of dropping some unguarded expression; but also, throughout private society, distrust and reserve would take the place of candour and of the good feelings resulting from social confidence in their daily intercourse. It must throw a lurking suspicion into all their transactions with each other most unfavourable to the character of the House in its public capacity, and, he might say, degrading to their characters as Gentlemen in private. He felt this most deeply, and, therefore, he implored the House not to let it escape their due consideration in determining upon the course they were about to adopt. For, however much he deplored the circumstances, he could not deny that, after so much had been allowed to pass, after the question had been permitted to be asked, and after the answer which had been given by his noble friend, the hon. and learned member for Tipperary, in vindication of his own honour and character, had a right to call upon the House to set aside all technicalities and forms, and after they had guarded, as much as possible, against the danger of leaving the case as a precedent for future proceedings, to claim at their hands a further and full investigation. One word more as to the peculiar position in which the House was placed. The House had interposed in this matter in vindication of its own dignity, and had thereby taken the whole matter into its exclusive jurisdiction. Therefore, whatever result might attend the proceedings to be instituted by the House, this, at least, he trusted the House would understand, and would expect it to be understood by every Gentleman the more nearly he should be personally implicated, that the matter being so taken within the jurisdiction of the House, was not again to be taken into other hands. He trusted he should be forgiven for putting this broad construction upon the engagement into which two Gentlemen had been compelled, by the authority of the House, to enter. He trusted, that that engagement would be held to have been imposed, not upon those two Gentlemen alone, but any other Gentlemen who might think themselves implicated in any accusations that had been made; and that, whatever should be the acts or decision of the House, that decision should be final and satisfactory. If, therefore, he hesitated to adopt the proposition of the hon, and learned Member, it was not from a wish to debar any Gentleman from the fullest means of vindicating his character in the sight of the House. Nor did he wish to debar any Gentleman from tendering his personal evidence in the question upon any facts within his knowledge. But what he desired to do was this: upon a question of so much delicacy, affecting the character of individual Members, and involving consequences so deeply important to the House and to society, he was anxious to recommend the House to take no immediate step. At least the delay of two or three—of three or four days—could not be too much to allow temporary excitement to subside, and the House could then seriously deliberate and discuss what might be the best mode—what the fittest tribunal—for ascertaining the truth, and what ought to be the specific limits of the accusation, and of the questions to be submitted to that tribunal. He gave no opinion upon the course taken by the hon. and learned Gentleman further than this—that he intreated the House not without notice, and not without sufficient grounds, to come to any determination as to the mode in which the investigation should take place. He would not suggest one moment's delay, hurtful as it might be to the feelings of the hon. and learned Member (Mr. Sheil), if he did not think that proceeding with deliberation was of paramount importance. There was one further consideration which he hoped the hon. and learned Gentleman would forgive him for stating. It was most important that it should be fully understood what was the charge, and to what extent the answer must apply. The hon. and learned member for Tipperary had made a declaration last night in that House in the most formal and solemn manner it was possible for any man to adopt. He had not forgotten it, nor would the House forget it; and he trusted, that the House would feel that the word of a Member so pledged before his country was the most strictly binding asseveration that could be uttered. Therefore the hon. and learned Gentleman should well know the charge, in order that he might adapt to it the limits of his denial. He would not anticipate what that denial would amount to—he was aware of the extreme difficulty of speaking upon the subject—he hardly knew how to word what he had to say without hurting individual feelings—but if that denial should not be fully and entirely supported, or rather if the denial given last night should be set aside, he prayed the House seriously and deliberately to consider to what further steps it might lead. He wished only to impress upon Members the deep importance of the question. It was of importance to the character of the hon. and learned Gentleman—of importance to the character of the House. When once the House had determined, in some shape or other, to enter upon the investigation, it ought to feel what might possibly be the awful consequences of the result. He was sure he should be pardoned if he should inadvertently hurt any Gentleman's feelings; a deep sense of duty impelled him to request hon. Gentlemen for a short time to suspend their decision upon the course that ought to be adopted, and to suggest to the hon. and learned Gentleman the fitness of withdrawing the Motion he had made, for the purpose of giving a notice upon the subject for an early day, allowing due time for deliberation.

Mr. *O'Connell* said, that the only thing in the course of the right hon. Gentleman's observations which excited in his mind any portion of surprise, was the supposition that any thing which had fallen from him could be calculated to hurt the feelings of any human being. It was impossible for him or for any man to exaggerate the importance of the inquiry to which they were about to proceed. He wished for deliberation; but deliberation did not preclude determination. He thought it would be more consonant with a deliberative course of procedure, and it would be important, above all to his hon. and learned friend, that they should have before them at once an idea, with something like distinctness, as to the form of the charge and of the nature of the inquiry. He need not say, that there could be no disposition on the part of those who were accused, to limit the scope or nature of the inquiry; there could be no desire with them, but that the investigation should be ample and complete. He therefore thought, that he was not only justified in doing so, but bound to adopt the suggestion of the right hon. Gentleman. Acceding to everything which had fallen from him as to the importance of the subject, and the serious consequences which it involved, the only thing he had to say was, that if any charge could be made it should be at once stated. He meant, that it should be generally specified, in order that the House should know what it was they were to inquire about. The accusation of the Chancellor of the Exchequer had a peculiar feature in it. It not only went beyond the question he put, but it included other individuals besides his hon. and learned friend. Certainly the noble Lord had said more than one; but that might be any number. It could not be less than two, but it might be just forty. He admitted, that the subject had been taken up by the other side of the House fairly, and he trusted, that he should be regarded as having no other desire than for a full and impartial inquiry. There appeared to be a difference of opinion between the right hon. Gentleman and the noble Lord opposite; but he hoped they would be prepared to state who were to be the persons charged, and with what offences.

Mr. Secretary *Stanley* begged to correct the hon. and learned Gentleman when he said, that there was any difference between him and his noble friend near him. On the part of his noble friend and himself, he declined the application of the hon. and learned Gentleman to be considered public accusers in the case, and therefore he could not give the information the hon. and learned Gentleman desired. The term used by his noble friend was, that certain Members of that House, who spoke against the Coercion Bill used very different language out of the House. He again implored the House to pause, in order that they might have time to take into their serious consideration the steps which it would be proper to adopt before they decided on any direct or final course.

Mr. *O'Connell* regretted extremely, that from the turn which the Debate had taken it was impossible to go further. Now the matter became involved in much obscurity, even with regard to the charge made. Nothing definite was stated, and he must say, that he had never heard a charge more general, more loose, and more vague. The House would feel with him how painful a situation he stood in in vindicating a Gentleman from a charge that was in its nature so indefinite. Why were they not told of some particular time or place? And as the transaction now assumed quite a different shape, and as now nothing personal referred to his Lordship, why were they not told who it was that reported the conversation, and why did they not hear of some circumstance which would enable them to see their way a little further? There were no particulars given; all was general assertion. He hoped it was not the case with the noble Lord, *dolosus versatur in generalibus;* but the proverb showed, that the way not to be candid was to deal in generals. The noble Lord in his statement did certainly implicate more Members than one. Now, why should these Gentlemen remain under such an imputation? Surely they, against whom such charges were alleged should at once be mentioned; for, whatever difficulty there might be in giving the authority, there could be none in specifying at least one more individual. Therefore he hoped, that the second individual at least, or, if he might be permitted to use the noun of multitude, "individuals," should be distinctly designated.

Question postponed.

Borough of Warwick.] Sir *Ronald Ferguson* moved, that the issuing of a Writ for the borough of Warwick be suspended until the 17th of March. He had not anticipated any opposition to this Motion until he had heard, unexpectedly, that it was to be opposed by the hon. and learned member for Dover. The course he was taking was similar to that which was pursued on the same subject last Session. He appealed to the House and to the Speaker whether it was not usual to suspend the Writ for any place whilst the conduct of its constituency was a subject of inquiry.

The *Speaker* understood the case to be founded on these circumstances:—A Writ for the borough was suspended on the ground, that a Bill relating to that borough was to be brought into Parliament. That Bill, it was intended should pass, but it was cut short by the prorogation of Parliament. On the re-assembling of Parliament notice was given of the renewal of this Bill; but that circumstance in itself did not necessarily suspend the issuing of the Writ, which must depend upon an order of the House. As far, however, as he could recollect he knew no variance in the practice, which was, that the Writ be postponed until the House should form its judgment whether such Bill should pass or not.

Mr. *Halcombe* said, that this course was one which inflicted peculiar hardship upon such of the constituency of Warwick (and they were the vast majority) as were perfectly innocent of all bribery and malpractices. The evidence taken before the Committee, even supposing it to be correct, only proved twenty-one cases of bribery; and surely that was no ground to deprive the whole of the inhabitants of Warwick of the right of representation. The fact was, no case had been made out against the electors of that place; and the object now was, to supply the deficiencies in the former evidence. The Report spoke of "gross bribery and corruption." Now what did this gross bribery and corruption amount to? Twenty-one cases only were proved, and proved in every case by the very parties who had taken the bribes. But how were these alleged acts of bribery attempted to be brought home to the noble Earl of Warwick? They were sundry trifling bounties, conferred, to be sure, by subordinate agents of the hon. candidate, who was also the steward of the noble Earl. The receivers of these came from various parts of the country, from the Sister Kingdom of Ireland—and from that of Scotland also; and there were very good grounds to come to the conclusion, that these very parties were traitors, sent into the enemy's camp by the opposite party, for out of these twenty-one cases of bribery, ten were proved to have voted for Messrs. Tomes and King, only eleven supporting Sir Charles Greville. But as to the alleged interference of the noble Earl (the Earl of Warwick) in this election, what evidence had the House? Had they not the direct testimony of Colonel Stewart and another gallant Officer to the fact, that so far from interfering, the noble Earl positively refused to interfere in any way? They had had instances also proved of persons voting against the noble Earl's supposed interests with perfect impunity, and without molestation. But, he would ask, what need had the noble Earl, or his brother, the hon. Sir Charles Greville, to resort to bribery? The hon. candidate was much beloved by the whole constituency; he had been returned for years without opposition. In 1831, he was opposed by a gentleman totally unknown to the neighbourhood, when the hon. Baronet refused to come forward unless called upon by a requisition from the electors. Such a requisition was immediately and enthusiastically adopted, and was signed by 600 individuals out of a constituency of 1,300. He was opposed by Mr. Tomes and Mr. King. Mr. Tomes was an attorney of that town, and Mr. King a total stranger. On the second day of the election Mr. Tomes, though second on the poll, gave in his resignation, and begged his friends to support Mr. King. Mr. King, it was proved, had paid 1,500*l.* into the Bank on account of Mr. Tomes. What had become of that 1,500*l.*? He must complain of the term "gross bribery." He must quarrel with the expression. Looking at this evidence he could not support this expression of the Committee. He would not accuse the Committee of partiality; they were men of high honour and respectability, and, doubtless, used their best judgment in this case. But he did fear, that the Committee had been unfortunately influenced by the attorney to whom he had already alluded, and who had jumped up to bring this case before the House. He meant to say nothing offensive of the Gentleman, whom he had known from his youth—he meant Mr. Joseph Parkes, the Secretary to the Municipal Corporation Commission, and the legal adviser to the Birmingham Political Union. The latter circumstance was in this respect connected with the present subject, for the members of the Union had been invited by an inflammatory placard to march into Warwick on the day of the election. He would now call the attention of the House to the recommendation of the Committee on this case. This recommendation was not to the effect, that the elective franchise of the constituents should be suspended, but merely that the recurrence of the alleged malpractices should be prevented for the future by enlarging the limits of the constituency. Now he could quote authority for the fact, that in such cases the House had never interfered to punish the innocent electors of the borough by depriving them of their constitutional and dearly-prized privileges. In the case of the Dublin election in 1831, where gross bribery had really been proved to a great extent, in this case he had the opinion of Sir Robert Inglis and Sir Henry Hardinge that the question of suspending the elective privileges of the constituency should depend entirely upon the recommendation of the Committee. He would now advert to another point in the evidence, which he did with infinite pain. It appeared from this evidence, that the Committee had compelled Mr. Greenway, the banker, to bring forward a statement of the noble Earl's private accounts. Every charitable payment, every private act of kindness, on the part of the noble Earl, was canvassed in the prosecution of this inquiry.

Sir *Ronald Ferguson*, as Chairman of the Committee in question, begged to correct an inaccuracy in the latter statement. The private accounts of the noble Earl had not been examined by the Committee.

Mr. *Halcombe*, in support of his assertion, begged to refer to the whole of the evidence of Mr. Greenway. The private accounts of the noble Earl had been canvassed; and Mr. Brown, his Lordship's steward, had been questioned as to whether such and such sums had not been paid in such and such quarters. As to any sums of money lent to Sir Charles Greville, had not the noble Earl perfect liberty to lend money to his brother if he pleased? There was nothing wrong in that. He would not consult his own feelings only on this case; but he would put it to the sense of the House whether any interference in private matters of this kind were justifiable. Another allegation was, that profuse treating was carried on. Such an allegation should be fully substantiated, in order to warrant the extreme measure recommended by the Committee. But he would maintain, that there was no proof of this treating being carried on in violation of the statute after the *teste* of the writ, though he would admit, that it was practised before the writ, as was usual in former elections in Warwick and in other places. Where was the distinct proof of treating after the teste of the writ sanctioned or connived at by Sir Charles Greville or his Committee, which alone, be it recollected, would constitute the illegality of the act, and justify the Resolution of the Committee? He contended there was none. Much was said of the lavish expenditure of money by the agents of Sir Charles Greville. But were not 1,500*l.* proved to be deposited in a bank by the opposition party, for the purpose of their own treating and largesses? Open-house was no doubt kept. But there was no evidence of such extravagance, or of the existence of the practice after the Writ, as would warrant such a sweeping visitation as that proposed. Look to the testimony. One of Sir Charles Greville's Committee was asked, "Did you, as a member of the Committee, put a stop to treating after the Writ was issued?" The witness answered distinctly, and he would say satisfactorily to every dispassionate man—"Yes." This was a fact, and a most material one it was, which the Committee seemed to have lost sight of. The illegality of treating was not proved. Treating, indeed, was proved; but it was only treating before the Writ, not after, which alone could constitute the illegality. There were open houses kept; but were they sanctioned by the Committee? It was proved they were not. What did the publicans say? Why, that they kept their houses open merely on their own responsibility, not under the direction of Sir Charles Greville or his agents; and that they had only an expectation of being paid, but no legal claim. Why should the zealous interference of the private friends of a candidate, who were not his accredited agents, be brought forward in damnification of his interests? And more than that, why should he be held responsible for the acts of speculating publicans? No man in that House would be safe if he were held bound by the conduct of every one who chose to speculate upon him. He would next advert to the charge of riots. The Report of the Committee stated, that they originated in the introduction of strangers and day-labourers into the town by the Greville party. True, strangers came to the town. But why? To defend the voters in the interest of Sir Charles Greville, from the Political Unions, who were expected to march to Warwick, to assault and overawe the voters, and to trample under foot the freedom of election. And march they did, with flags flying, and in all the pomp of military procession, bringing terror on the townsmen. Did the Committee forget that fact? Those strangers, as they were called, met them, and an encounter ensued. Who were then the disturbers and the assailants? Was it not clear they were the Unionists, who came to dictate to the voters and control their suffrages? Riots were the ground of disfranchising the electors. Where, he would put it to the candour and justice of the House, did not riots occur? They occurred in Coventry; they occurred in almost every other town; and were those places to be deprived of their high constitutional privileges on that account? He considered it an insult to the common sense and to the justice of the House to found so serious a decision on a fact so customary. Did the Report affix any stigma on the personal conduct of Sir Charles Greville? Far from it. Hear the Report. It stated, that it did not appear to the Committee, that Sir Charles Greville had in any way participated in the proceedings which they condemned, that his character stood as high in their estimation as ever. Then the Report proceeded to say, that it appeared that bribery and the interference of the Earl of Warwick were of old standing. He would put it fairly to the House, knowing their respect for the constitutional rights, not to say of the men of Warwick, but of the people at large, whether, if there was not any specific recommendation of disfranchisement, so severe a measure should be sanctioned by the House as the swamping of an entire constituency. Why should Sir Charles Greville be visited with punishment for transgressions which he did not sanction? Why punish the electors of Warwick in the face of the numerous acts of bribery allowed to pass by unpunished in other places? He would mention Dublin. One hundred cases of bribery were clearly made out in the instance of Dublin. He would quote Stafford. These cases were notorious, and clearly proved. Yet these places were to keep their Representatives, and Warwick was to be virtually disfranchised on imperfect evidence of criminality. If there was no extensive corruption carried on (and there was no authority furnished by the evidence for maintaining that there was,) why then should not the Members be suffered to take their seats to attend the investigation into the character of the borough? Certainly, if delinquency were to be punished, the punishment should begin with the greater delinquent, and it was monstrous to fasten on the constituency of a small town while a large one was suffered to riot in its criminality. The sanctioned impunity of one should not be made the condemnation of the other. It was said, the agents were guilty of bribery. Why then not punish the agents? Justice and common sense would point out the expediency of attacking the real criminals, and not making others the victims. If the agents were guilty, why should the Representatives be punished? There were only twenty-one voters in all who were brought within the range of all this corruption. Most of these got small sums to relieve them in extreme destitution. One had lost his eye-sight, and could not work; the wife of another was just confined; the wife of another got some small thing to relieve her in her distress. Among these bribed voters there were four Irishmen, who it was alleged offered themselves to be bribed. Now, one of these said on his examination, that if he had declared he was bribed, it was a lie. This was the whole case brought before the first Committee. A second Committee was appointed, and yet no additional cases of bribery were made out. Were these such grounds as would warrant the House in coming to a decision which in effect disqualified a whole town? He appealed to hon. Members as liberal men, as Reformers, as men who valued constitutional privilege, as men imbued with a sense of justice, to weigh well the whole amount and character of the evidence adduced, and not deprive on such flimsy proof an entire constituency of the valuable privilege of representation. As he had referred to the Earl of Warwick, he thought it right to say, that he had had no communication with the noble Lord. He was solely actuated by a sense of duty and justice. The hon. Member moved an Amendment, that a Writ be issued for the borough of Warwick forthwith.

The Motion found no seconder.

Sir *Samuel Whalley* said, that was not the proper time for inquiring into the delinquency of Warwick. A Committee had been appointed, and had reported; and it would be an insult to the Committee if the House were unwilling to suspend the Writ until the result of the proceeding set on foot were ascertained. If the hon. Member were not the advocate for the people of Warwick, he must say, that at least, he appeared so. It appeared, that it was not one party alone that was guilty of bribery, but all the people of Warwick. The hon. Member said, that 1,500*l.* were expended by the other party. If the people of Warwick had not a better advocate than the hon. Member, then he would say, Heaven preserve them from their friends.

Mr. *Hardy* was surprised at the doctrine of the hon. Member. The hon. Member said, that as there was no proof of treating after the Writ sanctioned by Sir Charles Greville or his Committee, there was, in fact, no treating that came within the provisions of the law. But were not the houses notoriously open for those in his interest after the Writ? Could it be said, that was no illegal treating, when 750 electors were guzzling to the amount of 3,000*l.*? Common sense would show, that this was treating, and illegal treating too. The Judges, and all conversant with law, knew such to be the fact, had over and over again pronounced this to be bribery. Whatever was done to influence electors was positive bribery. The statute of William discountenanced such a practice. The object of the law was not merely to prevent undue influence, but even expense. The electors should go to the poll as they would to elect trustees for their children or property, and it was no mode of preparing them for the calm exercise of such a duty to cram them up to the throat with liquor, and madden them with intemperance. If the borough was to be enlarged, it should be so in consequence of the profligacy of the voters; and if it be done at all, it should be done at once.

The original Motion agreed to, and the Writ ordered to be suspended.

HOUSE OF LORDS,

Friday, February 7, 1834.

Minutes.] Petition presented. By Lord Dacre, from the Dissenters of the three Denominations near London, praying for Relief.

HOUSE OF COMMONS,

Friday, February 7, 1834.

Minutes.] New Writs issued. For Totness, in the Room of John Cornish, Esq., who has accepted the Chiltern Hundreds; for Kendal, in the Room of James Brougham, Esq., deceased.

Bills. Read a first time:—Hertford Bribery Prevention.

Militia and Yeomanry.] Mr. *Hume* called the attention of the House to the immense sums expended since the peace, in keeping up the establishment of the militia. A Committee on the subject had sat up-stairs, and doubts were there entertained whether the whole charge might not be saved; it was therefore recommended in the Report, that a committee should be named expressly to inquire into that subject. He wished now to be informed whether Ministers intended to appoint such a committee? The present cost of the militia, in time of peace, was as great as that of ten marching regiments. He would read to the House an abstract of the militia expenditure from 1817 inclusive, to April 1, 1834. It appeared, by the Parliamentary Return, 427, of 1830, that

The total amount, as stated, from 1817 to 1828, both inclusive, (13 years(..		£4,448,066
In 1829, for Great Britain ..	247,395	.. 330,018
Ireland	82,713	
In 1830, for the United Kingdom		264,057
In 1831, for the United Kingdom		351,360
1832 to 31st March; 1832 ..	£26,539	.. 202,483
to 1st April 1833	107,943	
Ireland—three months ..	13,472	
for one year ..	54,527	
1833 to 1st April 1834—Great Britain	187,534	.. 243,550
Ireland ..	56,015	
Total for Militia in 16¼ years (1817—1833)		£5,839,535
Expenditure for Volunteers from the year 1816 to 1833, both inclusive		2,306,238
Total in 17 Years		£8,145,773

or 479,163*l.* yearly on the average of the seventeen years. The excuse for incurring this expense was, that it was necessary to keep up the establishment lest occasion should arise for calling out the militia; but every officer knew, and if there were one present in the House he would confirm the statement, that, upon the new system, the old militia serjeants and corporals would be incompetent to drill the men, and that the corporals and serjeants of the line must be resorted to. Therefore, the staff was only maintained for the sake of the places and pensions it enabled persons in power to bestow, and it was a matter of importance to ascertain whether, not only the expense, but the abuses were to be preserved. After again putting it to the Secretary at War, whether it was intended to appoint a Committee to inquire into the whole subject, the hon. Member moved for "An abstract of the sums voted, and the sums actually expended, in each year, for the yeomanry and volunteer corps in England, Scotland, and Ireland, from 1st January, 1816, to 1st January, 1834, so as to exhibit the expense of every kind in each year for these corps, and the total expense actually incurred in these years. Abstract of the sums voted, and the amount actually expended, for the militia of the United Kingdom, distinguishing Great Britain from Ireland, in each year, from the 1st of January, 1816, to the 1st of January, 1834, including expense for ballot, allowance to lieutenancy clerks, surgeons, and for every other account, so as to exhibit the total expense of the militia, and its pensioners, in each year, and in each kingdom; stating also, what corps have been called out in aid of the civil powers in each of these years, and the amount of expense specially incurred for such service; also, the aggregate amount of expense in these years."

Mr. *Ellice* observed, that the merits of the question brought forward by the hon. member for Middlesex had been discussed before with a much better chance of arriving at a result. Much money had been thrown away, but the hon. Member was in error when he supposed that it fell within the province of the Committee to which he alluded to make any alterations in the amount of the military force without the consent of the House. It was for that assembly to make such reductions in, or additions to, the number of men employed in military service, as it might think proper. The duty of that Committee was to prepare the estimates for the support of that force. In his own department he could not alone interfere with a matter of that nature, but he might state that the Government had called for returns of the number of men employed in the militia and yeomanry forces, of the services performed by individuals belonging to the respective corps, and for other information connected with the subject, that, upon a clear view of the facts, they might be enabled to determine whether any amount of compensation ought to be bestowed upon retirement; and whether the force should be maintained at its present complement, or be subjected to a greater or less reduction in its amount. He hoped he should soon have the satisfaction of communicating to the House the intentions of his Majesty's Government with regard to this question, and he trusted that their views would meet with the sanction of the House, though perhaps they would not be fully in accordance with those entertained by the hon. Member.

Sir *John Wrottesley* concurred in what had fallen from the hon. member for Middlesex. Whatever might be thought of the propriety of maintaining a militia, the mode in which they were kept up was exceedingly expensive and extremely inefficient. The field discipline of the militia had not been altered for the last fifteen or sixteen years; but within that period the greatest improvement had been effected in the army, particularly in the manœuvres that were employed. He recollected, that, at the commencement of the war, there was hardly a man in the militia who was acquainted with the manual exercise; and, in a particular instance, a body of militia was obliged to be drilled by the officers of the regiment to which he had then the honour of belonging. There was a great number of men who had served in the colonies who were now receiving pensions of from 1*s.* to 2*s.* per day. He thought, certainly, that the country was bound to give them something for their former services, but he begged to suggest that these men, if formed into a body under the same regulations as the militia, would not be so expensive to the country, and far more efficient.

Return ordered.

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HOUSE OF COMMONS,

Monday, February 10, 1834.

MINUTES.] Petitions presented. By Mr. HAWKINS, from Dissenters of Newport, in the Isle of Wight, for Redress of Grievances.——By Mr. BLACKBURN, from Dissenters at Marsden, in the West Riding of Yorkshire, praying to be allowed to Graduate at the Universities.—By Lord MORPETH, from several Congregations of Protestant Dissenters of the three Denominations within twelve Miles of London, for Redress of Grievances.

BREACH OF PRIVILEGE—MR. SHEIL.] The Speaker called upon Mr. O'Connell, but

Mr. *Sheil* rose and said, he trusted that before his learned friend proceeded with the Motion of which he had given notice, the House would indulge him for a few seconds. He asked for this indulgence with the more confidence, because it was not his intention to interfere in the approaching discussion, lest he should be betrayed into expressions which might be offensive to others, or not becoming the assembly he was addressing. He asked for a trial. He asked it with all the respect due to the House, and with the simple strenuousness of one who was conscious of innocence. He had said, that it was not his intention to take part in the approaching discussion: with the facts that had come before the House every Member was, of course, fully acquainted, and it was not necessary for him to repeat them. He repeated that he only, asked for a full, fair, and complete investigation; and as to the form of that investigation, he left it to the House, in full confidence that on all sides the spirit of partisanship would be entirely excluded —that nothing of the acrimonious description which had occurred a few days ago would in future have to be lamented. He asked for inquiry with the more strenuousness, in consequence of the intimation given on Friday by the right hon. Secretary for the Colonies—an intimation which he was sure (and he spoke it most unaffectedly) was not intended to give pain, but which at the same time, instead of deterring him from requiring a trial, made it most imperative that he should demand an investigation in the most earnest manner. Of the form of proceeding the House was the best judge: he asked no favour, but he threw himself upon British justice.

Mr. Secretary *Stanley* begged leave in consequence of what had fallen from the hon. and learned member for Tipperary, to interpose between the hon. and learned member for Dublin and the House with a few sentences. It had been his wish (and the hon. and learned Member had done him no more than justice on the former day when he admitted it), to avoid saying anything that might in the remotest degree give pain; but he had felt it his duty to call the attention of the House to the state in which it would be left, should the discussion proceed and end in a certain result. It had been his wish to allude to the possibility of that result in the tenderest terms; but as the hon. member for Tipperary had said that it was not his intention to take any part in the debate, but to leave the investigation entirely in the hands of the House, relying upon its sense of justice, it was the more necessary distinctly to understand and know the precise nature and extent of the inquiry. The hon. and learned member for Dublin intimated that he was prepared to make an exposition of his views. [Mr. *O'Connell:* I am]. The hon. and learned Member, (continued Mr. Secretary Stanley,) must pardon me for saying that I conceive the position in which the House is now placed; and its decision depends not so much on grounds he may state as upon the view that may be taken, and the answer that may be given by the hon. and learned Gentleman, the member for Tipperary. Because the question, I understand, is this: with reference to the hon. and learned Gentleman, there is this statement made, and this statement only: that out of the House, on the subject of the Coercion Bill, he has held language at variance with the language he held within the House upon the same subject. I wish, therefore, before the House is called upon to come to any decision, to know whether the hon. and learned Gentleman so understands the extent of the statement, and whether, upon that statement, that he has held out of the House, in conversation, language different from that which he held in the House with reference to the Coercion Bill, he rests his denial, and asks the House, for the sake of his vindication, to enter upon the inquiry? I am sure that the hon. and learned Member will give a plain and an explicit answer to this question, because it is one on which, in my mind, and as I think I shall be able to show to the House, depends the course we are to pursue.

Mr. *O'Connell:* I object to my hon. and learned friend being induced (to use no other word) to give any reply to what I think the insidious attempt of the right hon. Gentleman to lead the House from the real question before it. I do not give the right hon. Gentleman any credit for the motives which induced him to step forward. It seems to me, though I may be mistaken, that the course suggested is very different from that which justice requires us to pursue. I rise to bring the case before the House—certainly after some deliberation, and with more distinctness of purpose at least, than influenced me when it was last mentioned. The delay has had two advantages; it has enabled me, for one, to make up my mind upon the course which I am convinced justice demands, and also it has made me perceive, what I did not before discover, that there is an infinite difference between the statement which the noble Lord has made and the statement, whatever it be, which the hon. and learned member for Hull has declared himself ready to support by evidence. I now perceive that no two things can be more distinct and different. I confess, in the hurry of the first occasion, I perhaps naturally, and certainly undesignedly, confounded both to a great extent. I mixed that which is a real and a serious crime with that regarding which, I think, it would be difficult to show it would be becoming in the House to institute an inquiry, if it had not proceeded from the lips of one of his Majesty's Ministers, using the term responsibility when he volunteered an answer to a question I did not put. I shall show presently that he did volunteer it, and that it was not led to by what fell from me. The strongest proof that such was my impression is, that I really thought he adopted and sanctioned and justified the hon. member for Hull. I will not retract what I said under that impression. I wish the present discussion to take place in the absence of all personal feeling. I wish to avoid all passion and hostility, and that no influence may reign but the love of justice. I want to bring the House to what I think to be the real breach of faith; and that I think I find in the publication of the speech of the hon. and learned member for Hull. I mean to bring it before the House distinctly as a breach of privilege, on which I shall move that a Committee be appointed, and that power be given to it to investigate all the facts—not only in form, but in substance—not only as to the terms, but as to the spirit and meaning of the hon. and learned Member. And here I challenge the noble Lord (Althorp), so to extend the powers of the Committee that the belief of which he spoke, may be justified by the creation of a similar belief in the minds of others, or that he will retract the assertion of his belief, and admit that he finds the whole without a shadow of foundation. These are the purposes with which I address the House—first, to bring before it what I conceive to be a distinct breach of privilege—next, to have a Committee appointed; and then, thirdly, that the value of character may be appreciated and ascertained: so that we shall know whether there is any foundation for what the noble Lord says he believes; or whether, on the other hand, it is a miserable and a designed slander against Members who have been assailed wholesale, and upon system. The noble Lord, be it remembered, has thrown them into a group—the hon. member for Hull alluded to only one; but the noble Lord has extended it to many ["*Some*"]. Certainly more than one. I may think, indeed, that one is too many; but certainly the noble Lord accused more than one. What skill Gentlemen who interrupted me may have in distinguishing between "some" and "many," I know not, but the distinction is not of importance to my feeble understanding; but we will take it as "some." I was fortunate enough to be excluded from the number. I caught the noble Lord's negative before the House interfered, and two or three other Irish Gentlemen did the same; but the situation of others who were not so fortunate, must be exceedingly painful. That the charge was volunteered by the noble Lord, is quite obvious, and it is incumbent upon him to justify himself by naming the others, and above all, by giving us the name of his informant—his witness. But we have not arrived at that part of the case. The first part relates to the hon. member for Hull, who has, under circumstances, avowed the publication. Words he has negatived, but substance he has admitted. He has declared his readiness to come to the proof; he has, himself, suggested a Committee, pledging himself to establish what he advanced, by evidence. I trust the House will not refuse us the opportunity of showing that what he asserts to be fact, is an impossibility. What fell from the hon. member for Hull, appeared in two or three newspapers—one of these was *The Hull Packet*, and, if I am not mistaken, he is supported by the managers of that newspaper. Perhaps I am misinformed, as I speak merely by hearsay. At all events, the speech in that newspaper has the appearance of authenticity. [A *Member:* The newspaper was not *The Hull Packet*, but *The Hull Rockingham*]. In *The Hull Rockingham* the speech was given in the first person—that might be done to give it more interest with the public; but if it were communicated by the hon. Member, that was most likely the form it would assume; if anything turned on the manner in which it got forth to the public, this might be worth notice, but it is of no importance. I content myself, therefore, with bringing the paragraph before the House, and then we shall know from the hon. Member how far he admits its correctness. He will not only have to show why he varies from the report, but when he substitutes a different version, why, when the words as printed were placed before him by a Member who called upon him for a denial of them, he did not soften or explain the expressions attributed to him. I was not in possession of this fact on the former day, but I shall on this occasion bring it distinctly before the House. The publication is in *The Examiner* newspaper, purporting to be the speech of the hon. member for Hull, and runs in these words:—'It is impossible for those not actually in the 'House, to know all the secret machinery 'by which votes are obtained. I happen 'to know this (and I could appeal, if 'necessary, to a person well known and 'much respected by yourselves), that an 'Irish Member, who spoke with great 'violence against every part of that 'Bill, and voted against every clause of 'it, went to the Ministers and said, '"Dont bate one single atom of that 'Bill, or it will be impossible for any 'man to live in Ireland." "What!" 'said they, "this from you who speak 'and vote against the Bill?" "Yes," he 'replied, that is necessary; because if I 'don't come into Parliament for Ireland, I 'must be out altogether, and that I don't 'choose." [cries of "*Name!*" and "*No!*"]. 'Consider for a moment! Can I do it? '["*No!*" "*Yes!*"] That is a point for my 'consideration. I have a great respect 'for every one here; but if every one in 'the room was to hold up his hand for it, 'I would not do it. The secret is not my 'own. If he had told it to me, I would 'have said, "Mark, I'll keep no such 'secret as this—I'll publish it to the 'world." But if I name the Member, I 'put it into the power of the individual 'who made that declaration to know the 'Gentleman who told me.' That is the statement put forward in the Hull Paper, and I have read it from *The Examiner*. Since that date another publication of the same newspaper has occurred, with a distinct assertion that the first publication had come under the notice of the hon. member for Hull immediately after its first appearance, and that then he did not think fit to make any alteration in it. I cannot vouch for the truth of this, but it is so stated. I have also a communication from one of the inhabitants of Hull, with whom I am not acquainted, which has been printed in the newspapers, and is, as I have ascertained, a genuine letter. It is from a person of the name of Jackson. He says he was present, and his report of what the member for Hull said, as an ear and an eye-witness, is as follows: "It is remarkable that some of the Irish Members who spoke with the greatest violence against the measure, were privately, the zealous supporters of it. One of them waited on the Ministers, and said that he was obliged to speak and vote against it, to preserve his popularity; and that otherwise he should forfeit his seat in Parliament." That is the report of Mr. George Jackson, whose communication was dated November 13, 1833, of what was said at Hull by the hon. Member He goes on to say, that the same Irish Member advised Ministers "to stick to the Bill, if they wished Ireland to be a country fit to be lived in;" and that the hon. member for Hull added, that he had his information from a gentleman pretty well known to those whom he was addressing. In that description of the informant all the newspapers concur. The next document is a letter from an Irish Member who thought it necessary to apply to the hon. member for Hull for a certificate of his innocence. [The hon. and learned Gentleman read the letter of Sir Richard Nagle, in which, repeating the words of the hon. member for Hull, he asked if he was the person meant?] What I am now about to read, is the answer of the hon. member for Hull; and it will be remarked, that the imputed words are given to him distinctly, and that he completely adopts the statement. [The hon. and learned Gentleman here read Mr. Hill's answer, in which he said, he made no allusion to Sir Richard Nagle]. Now it seems to me, (continued Mr. O'Connell,) that the hon. Member, by replying to Sir Richard Nagle, and not disputing the words he quoted, distinctly adopts them; and, perhaps, in arguing in this way, I am doing what is superfluous, as the hon. Member may intend to adopt the words to-day. But I wish to put before the House the distinct nature of the charge—a charge under which all Irish Members have laboured to this hour—a charge in its nature as grievous as can be made against any body of men. I entreat the House to reflect upon the nature of it; it is asserted to be a loose conversation — not the talk of Brookes's, or gossip in the street; but a distinct communication to Ministers, urging them privately to do that which the individual had contended against in this House with all his energies. That is the extent of the duplicity, the testimony which his own words and conduct supply—the falsehood of the action which it becomes most important for this House and the Government to ascertain. That is the substance of the charge. One of the papers talks of a Cabinet Minister, and that was included in the question I put to the noble Lord; other papers only speak generally of a Minister, and I give the hon. member for Hull the fullest latitude he can desire; he may extend it to every body in office—nay more, to every regular Ministerial supporter—to every body belonging to the Ministerial party, or phalanx, for I wish to use as unobjectionable a word as I can. The charge of the hon. Member is distinct, and it is distinctly made, but the noble Lord, by the mode in which he met it, has given it tenfold importance. The public will not distinguish between one Irish Member and another; I did not myself—until the right hon. Secretary for the Colonies spoke. I did not look into the shadowing of the distinction, but what he said, to my eyes, made it so clear, that I cannot fail to see the distinction. I stand upon this case as one plainly entitling my hon. friend, myself, and every Irish Member, to a full, and complete inquiry. I have not asked a character from the hon. member for

Hull, nor shall I. My acquittal shall be from the House; and without meaning any taunt or disrespect, I defy him to say, that it was I. The hon. Member has gone further; not content with avowing it here, he has pledged himself to prove it. I dare and defy him to the proof. I trust, that this House never will allow any one of its Members to say, that he has the proof, and [then throwing a shield over that Member, make the very shield a weapon of offence against men who seek only a full and complete inquiry. The more I reflect on the conduct of the noble Lord, the more I am astonished at his course of proceeding; it is impossible, I think, for any rational man to defend that course. I put a question, and speaking from the newspaper, I applied my question to a Cabinet Minister, and I was answered with the insignificant negative of a Cabinet Minister. I then put the question as applicable to any Minister, and I was met by an allegation, that something had been said out of the House by more than one Irish Member, inconsistent with what he had said in the House. That is very hard to be dealt with. Heaven knows, if there be a man who ought to be exceedingly punctilious about what is imputed to have been said by him, it is the noble Lord. He had been frequently mistaken; deputations have waited upon him, because he has been supposed to have given answers that he did not give. How many speeches has the noble Lord delivered here, that have been misunderstood and misreported. I do not, and I cannot believe that such was the distinct intention of the noble Lord; but what he said was calculated to make a most injurious impression on the minds of the public. He went further, and declared his belief of what he had been told; he persevered in that belief, and protected the author by his own responsibility. I only trust that the House will not protect the noble Lord by limiting the inquiry. What was this conversation? Where did it happen? By whom was it reported? Was it intended to be communicated to the public? Moreover, who heard it? Was it one of those *persiflages*, sometimes current in society, which are never relied upon, never mentioned, and turn out in the end to be nothing? On the other hand, was it in its nature and essence derogatory to the man who used the expression? Was it such a conversation as, among Gentlemen, is within the sacred guard of silence. Was it necessary to caution the hearer with "Do not say this;" or was it such a matter as no man would think of repeating? Was it repeated by a man who, if he were to swear it, would not be believed, because the moral tarnish of retailing it would lead to the inevitable suspicion that he who could repeat would not scruple to invent? Is there not a tribunal of honour in the breast of every man opposed to such practices? Is it not shown, in the late sentence of a Court-martial, where complaint was made of a practice that had found its way into the 15th Hussars. I will show that the practice complained of in the 15th Hussars was honour itself compared with the contemptible tittle-tattle on which this conversation is founded. I am not surprised at the kind of interruption I meet with; it is because you feel the effect of what I am advancing, that I am interrupted with these indecent exclamations. The sentence says, "Another practice has been introduced into the 15th Hussars."

The *Speaker* put it to the feelings of the hon. and learned Member himself—first, whether it was necessary thus to substantiate his general position by reference to a particular case; and next, whether he would do so in a matter which was not before the House, and which was inconsistent with its feelings?

Mr. *O'Connell:* I do not bring it forward for the purpose of disparaging any parties; but this is a case which has received the sanction of his Majesty, which has been promulgated in General Orders, and is the common topic of all the newspapers. I refer to it as containing the opinion of a highly honourable and intelligent Court; and there I find a strong censure of the practice of taking notes of the conversation of officers, which the Court say could not be considered otherwise than revolting to every gentlemanly feeling. What I want to know is, whether conversations not taken down, but reported, are not liable to the farther stigma and reproach that there may be a variance, if only from mis-recollection? Yet this is the charge of the noble Lord—a charge which the Government must shrink from bringing forward. They have powerful champions to cover the noble Lord's retreat; and they may, if they think fit, prevent the disclosure and appearance of the worthy person whom the noble Lord believes, and whom I utterly disbelieve. We have neither his name nor his Address, and the consequence may be, that many and many an honourable man, utterly incapable of the turpitude of revealing private conversation, will have an unmerited stigma fixed upon him, and will be regarded as a talebearer so long as the real name is kept secret. Irresponsibility is to be the protection of the man who has lent himself to this unworthy practice. I have heard many people named as the authors—at least several: some I do not believe — others I doubt. But I have heard names, and respectable names—names of persons utterly incapable of such baseness—and yet they must be content to bear the suspicion, and must go through the country with it sticking to them. If this inquiry be stifled, the innocent will suffer to an extent really frightful, and the really guilty will escape all censure. For these reasons, and in perfect good temper, I bring the case before the House as between the Members for Ireland and the hon. member for Hull; and first I want to know to what extent he means to make his charge—within what limits it is to be confined—and whether he is still ready, as he professed to be the other day, to make it good. I mean to move for a Committee—that the paragraph I have read be referred to it; and that, thirdly, the inquiry shall be as extensive as possible. As to the noble Lord's belief of the tale he has been told, I know not how to deal with it. I do not know how to deal with his responsibility, and I would not be a party to that species of discussion. The noble Lord has introduced his version of the story on his own responsibility; he has inflicted a wound, and it is his duty to stand forward to make good his charge, by producing his informer, or to abandon it, and thereby acquit noble, upright, and irreproachable men from an unjust imputation. The names I have selected for the Committee are men certainly beyond reproach—not one of them is connected with the Irish party to which I have the high honour to belong—not one of them is connected with my hon. and learned friend. Oh, how vain are the efforts of calumny with us! How harmless is its breath! We are, indeed, separated from you by the Channel, but you let your Press loose upon us, when you do not venture to assail us yourselves. I scorn to notice it; but I will say, that I have struggled for five-and-twenty years with my hon. and learned friend. We struggled first with small means, in defence of the great principle—freedom of conscience; and no man is adorned with more eloquence, or illustrated by purer or more sterling patriotism, than my hon. and learned friend. If he could have been intimidated or purchased, long and long since he might have been in a situation well deserving the curses, while he received the full pay of his country. Nothing that can occur shall divert us from the course we are now determined to pursue; and, as regards the particular case before the House, we demand an inquiry —a full, complete, and entire inquiry. Shall that inquiry be limited within the responsibility of the noble Lord? The hon. member for Hull manfully said, on a former night, he was ready with his proofs. We claim that he shall have an opportunity of adducing them. I therefore put in *The Examiner* newspaper, that the paragraph may be read.

The Clerk accordingly read the paragraph.

Mr. O'Connell then moved, that the paragraph be referred to a Committee consisting of the following Gentlemen:—Lord G. Somerset, Sir E. Knatchbull, Sir F. Burdett, Mr. Romilly, Mr. K. Tynte, jun., Mr. Strutt, Colonel Maberly, Sir H. Hardinge, Mr. Hawkins, Mr. Parrott, Mr. Shaw, Mr. Hume, Mr. Gillon, Major Fancourt, Mr. Lefevre, Colonel Verner, Mr. Warburton, Mr. Grote, Mr. Abercromby, and Sir R. Peel.

Mr. *Hill* said, that the hon. and learned member for Dublin had expressed his wish that this question should be discussed with good temper. On his own part he hoped it would be discussed with even temper, at the least; and, as far as he could, he would follow the precept, while he took warning by the example, of the hon. and learned Gentleman. It would be in the recollection of the House, that after the declaration of the noble Lord, the Chancellor of the Exchequer, on the former evening, when the noble Lord replied, in answer to a question put to him by the hon. member for Tipperary, that he was one of those Members of whom it had been reported that he had spoken differently out of the House on the subject of the Coercion Bill to the opinions he had expressed in the House; it would, he said, be in the recollection of the House, that the hon. and learned member for Dublin then got up, and, before he (Mr. Hill) spoke a word, or gave the slightest explanation, the hon. and learned Member stated, in terms which he had thought sincere, complete, and satisfactory, that the hon. and learned Member considered him perfectly justified in every thing which he had said. The hon. Member had now stated in words that he did not withdraw the retractation which he then made. Did the hon. Member mean to tell him that he did not withdraw it in fact? What was he to make of the hon. and learned Member's speech? If it was not a withdrawal of his retractation, was it not an attempt to explain it away? Did he now, in the opinion of the hon. Member, stand perfectly justified in what the newspapers had represented him to have said at Hull? Was he to have the hon. Member's retractation or not? Did the hon. Member withdraw that retractation or did he not? He would have either one thing or the other; he would not accept half a retractation. Let it be full, or let it be nothing. The House would not mistake him. He did not affect to suppose that when the hon. Member stated on Wednesday, that he was perfectly justified in what he had said, that therefore the hon. Member meant to admit that his statement was well founded: he merely understood the hon. Member to mean, that whether right or wrong, whether accurate or mistaken, he had sincerely believed what he had said at Hull, and believing the story, merely repeated it. Could he understand the hon. Member to assent to this construction, and abide by it? Was that the meaning of the hon. Member's words, or had they any other meaning? He would thank the hon. Member for something to which he could fix him. Was he called upon to defend his veracity or his want of caution? Was the question whether an Irish Member had done what he had charged him with, or whether he (Mr. Hill) had done what the hon. member for Dublin had charged him with in two letters to his constituents, when he let loose the Irish press against him—namely, invented and fabricated the story? He wished to know how the question stood—whether it was with respect to the charge of his having fabricated the story, or with respect to the truth or error of the story itself? As he obtained no reply, he would proceed with his case as regarded himself personally. The hon. and learned Member in his letter said, "This man fabricated this statement." Now, he would like to know how the hon. and learned Member had found out that the statement was a fabrication of his? Where was his evidence of the fabrication? He would further ask the hon. and learned Member, accomplished as he was in casuistry, to point out the difference between him who asserts that which he cannot know to be true, and him who asserts that which he knows to be false. How could the hon. Member know that he fabricated it? There were but two individuals in the world of whom the one could safely predicate of the other, what the hon. Member had so positively averred of him, and those were the Siamese twins. But, thank God! the hon. Member and he did not stand in their relation to each other. The hon. Member did not know his goings forth or his comings in, and he could not, therefore, know that he had fabricated the statement, though he might know the contrary. He appealed to the House, with the recollection they had of the reports in circulation during the progress of the Coercion Bill, in the month of October, whether his statements remained to be fabricated, and whether (be it true or be it false) it was not known to hundreds within those walls, and to thousands without? But further than that, he would prove that the hon. and learned Member himself knew that such a report had existed months before the speech at Hull, at the very time he was charging its fabrication on him (Mr. Hill). He held in his hand a letter addressed to himself, and published in a paper called *The Cork Evening Herald*, which its length alone prevented him from reading to the House. It was signed "Feargus O'Connor," and was dated the 17th of November, 1833. The letter was, no doubt, a severe censure upon his statement; but it was so frank and straight-forward, that he had never for a moment felt the slightest ill-will towards the gentleman who wrote it. In that letter Mr. O'Connor copied, almost sentence by sentence, the report of his statement at Hull, which had been read at the Table, and therefore it was evident he had the charge before him, and knew what it was. Mr. O'Connor then mentioned a gentleman's name, which he had never mentioned, for this reason, that he had never been asked for it, as that of "the man stated to have made the declaration to Ministers;" and added, "I heard the slander, and from a Member in the House; and, if I now recollected his name, I most solemnly declare I should not have the slightest hesitation in mentioning it." It was right to add, that Mr. O'Connor then went on to state his disbelief of the charge at the time he heard it. The purpose for which he mentioned the circumstance was not to show that the statement was true, but that it had been made. It was clear that the statement, true or false, had been made to Mr. O'Connor months before he repeated it at Hull. On the 28th of November, long after the publication of Mr. O'Connor's letter, the hon. and learned member for Dublin attended a dinner at a place called Clondalkin, in the neighbourhood of Dublin, on which occasion he thought proper to take notice of the letter published by the hon. member for the county of Cork (Mr. O'Connor), by stating that "an unwise friend of his had published one of the most foolish letters he had ever read, in which he named his hon. and learned friend as the person pointed at in the speech at Hull, but that it was little short of an act of insanity to connect his hon. and learned friend with such a transaction." He (Mr. Hill) was not saying that it was not unwise—he was delivering no opinion of that sort; he merely referred to the letter to show that, on the 28th of November, the hon. and learned member for Dublin knew that, some months before that period, the hon. member for the county of Cork was acquainted with the charge which he repeated at Hull. Would the House, then, believe, that on the 8th of December, the hon. member for Dublin, after having had time to consider the matter, wrote a second letter to his constituents at Hull, in which he used these words:—"My accusation of Hill before you is, that he invented this story,—that it is an entire fabrication of his own." Thus, then, he thought he had proved, that when the hon. member for Dublin reiterated the charge of fabrication, he knew, that a gentleman, whose veracity he could not controvert, had said in writing, that he had heard the statement in the House of Commons many months before. The charge of fabrication had, then, been answered by the hon. member for Cork, whose folly consisted in letting out a truth in favour of him (Mr. Hill). If, however, that vindication of himself had not appeared, he would have waited with great patience until the meeting of Parliament afforded him an opportunity of addressing the House, because he hoped to gain credit there—at least to this extent—that he was incapable of stating any thing which he did not believe to be true. He felt, that he should be believed by every person who knew him, which, to be sure, was a very small class. But he knew, further, that he should be believed by every man who knew the hon. member for Dublin, and that was a large class. The hon. member for Dublin complained, that he had not entered into a newspaper controversy with him. He was not in the habit of entering into such controversies with any one, and, certainly, the hon. Member was the last person with respect to whom he should be induced to break the rule which he had prescribed to himself upon this point. He had not the presumption to consider himself equal to the hon. Member in the display of skill, with which he favoured the public. The hon. Member's talent for invective and vituperation was unparalleled, and he did not choose to enter into a contest in which he knew beforehand, that he should be worsted. Besides, why should he do so? The fictions which the hon. member for Dublin, for a moment deceived himself into believing were too monstrous to require refutation. They generally answered themselves. A few days and they were gone. Such pure invention was not calculated for permanence: some slight alloy of truth might have made it wear better. Who was bound to notice either his charges, prostrated as they were by his retractations, or his retractations nibbled away to make room again for his charges? The hon. Member now said, that when he made the retracttation, he was taken by surprise—that he really thought, when the noble Lord on the Treasury Bench made his statement, that it was in substance the same as his (Mr. Hill's), and that, therefore, acting on the impulse of the moment, he made an ample apology, and offered to repeat it out of the House. It seemed, that he was undeceived by the speech which had fallen from the right hon. Secretary for the Colonies; but as that speech was delivered on Thursday, why did not the hon.

Member then withdraw his retractation? The conduct of the hon. Member was calculated to excite feelings difficult to repress in his mind. But he would not be betrayed into any warmth of expression. There was one reason why he should be cautious in this respect—the House, in the exercise of its discretion, had bound his hands; and whenever that took place, either by his own act or the act of others, he thought it was but just that he should put his tongue and his pen under equal restraint. The hon. Member had done him no more than justice in saying that he desired inquiry. It was his wish that a complete investigation might take place. He had felt it due to the House and to himself, to state at the earliest possible moment what, as far as his recollection went, was the substance of what he said at Hull. He said, that the speech he delivered upon that occasion was unpremeditated, and spoken under adverse circumstances. It was delivered on the 22nd of October; and his attention was not drawn to its importance until the publication in the *Examiner* on the 10th of November. The hon. member for Dublin said, that the matter was then brought under his attention; so it was, and as soon as he was aware of the excitement it had created, and the pain it had caused to gentlemen on the other side of the channel, he adopted what appeared under the circumstances to be the best course he could pursue—namely, he publicly announced that he would state who was the individual alluded to, if that individual would apply to him. That being the case, he could not understand why the hon. member for Dublin should taunt and defy him. What had he done in the matter, that he should be made the subject of taunt and defiance? Now that he was placed in a situation where his motives could not be misconstrued, he did not hesitate to say, that he deeply regretted the statement, whether well or ill founded. He had never until now had an opportunity of making that declaration—he had never been met in a spirit of candour and justice. The first notice which was taken of his statement was in terms of abuse, insult, and defiance. Under these circumstances, it was impossible that he could make the slightest concession. He regretted, that he had made the statement—he had reason to regret it from the pain and distress it had thrown into his own family. He regretted, also, the trouble it had caused to others to whom the charge did not apply. A considerable period had elapsed before his attention was first directed to his speech at Hull, and another interval had since intervened. Speaking only from recollection, he believed that he did not utter the passage contained in the Report relative to "secret machinery;" and his opinion on that point derived confirmation from the fact, that the passage had no connexion with what followed. He never meant to make any charge against Ministers, and therefore it was unlikely he should have made use of the language imputed to him. He was quite ready, if the House required him to do so, to repeat every particular of what he had stated on a former evening. The hon. member for Dublin called upon him to bring forward a charge. He had stated, to the best of his recollection, the substance of what he said at Hull; and he was not aware, that he could be expected to do more, unless he was called upon to become the public prosecutor, and to draw up an indictment; and then he would wish to know whether it was to be upon paper or parchment? He asked whether, in the judgment of the House, there had been any want of explicitness on his part? If the House thought, that he ought to retire, and draw out a statement in writing, to be laid upon the Table, he would comply with their wishes, but otherwise he would not do more than he had done on Wednesday—namely, state the substance of what he had said at Hull. He rose for the purpose of seconding the Motion for the appointment of a committee to inquire into all the circumstances of the case. It was his most anxious wish, that a Committee should be appointed. That it would report in one way he entertained a very strong opinion; that the Member, to whom he had alluded, and who had never yet himself called upon him (Mr. Hill) for his name, was entitled to inquiry if he chose to ask for it, there could be no doubt; and he was sure that no person in the House would be better pleased than himself, if the inquiry should terminate in the full acquittal of that hon. person, and in the conviction, that he (Mr. Hill) had been misinformed, in common with the noble Lord, the Chancellor of the Exchequer, and that the whole proceeded on a misconception.

Colonel *Evans* said, that after what he had just heard, considered in conjunction with what passed a few days ago, it appeared to him that nothing more miserable and contemptible had ever come under the notice of the House. He was not connected with the party of the hon. member for Dublin, and, therefore, might be considered an impartial observer; and he must say, that he had seen with some indignation the attempt which appeared to have been made to run down a man's character by secret insinuations, founded on reports of private conversation. Looking at all the circumstances of the case, as it was brought against the hon. and learned Member, he must own that he could not view it but with great indignation. It generally happened that, whenever the Ministerial side of the House was in any difficulty, it seemed to rely on the right hon. the Secretary for the Colonies, to get them out of it, and, accordingly, they found that the great abilities of the right hon. Gentleman were called into action on Thursday night. He alluded to the right hon. Gentleman, because, as it appeared to him, there was something unfair in the course pursued on that occasion. He recollected that the great northern review, in speaking of the Parliamentary labours of the right hon. Gentleman, described him as possessing an intuitive knowledge of parliamentary tactics, and the passage was brought to his recollection by the course which the right hon. Gentleman had pursued the other evening. The right hon. Gentleman had hinted, in terms which could not be misunderstood, at the possible consequences which might ensue if the solemn asseveration made by the hon. and learned member for Tipperary should not be fully sustained on his part; and he threw out a solemn warning of the course which the House might, in that case, be called upon to adopt, as if the plain inference to be drawn was, that expulsion from the House might be the result; but the right hon. Gentleman had not glanced at what might be the consequence to others, if their statements could not be sustained by proof. Now, it appeared to him, that if expulsion could be contemplated as the result of this absurd affair, on one hand, it might with equal justice be anticipated on the other, with respect to the hon. and learned member for Hull, should he not be able to prove his statement. Besides, were no consequences to follow for others? And he should like to know what were to be the consequences to the noble Lord (Lord Althorp), who had, as it appeared to him, so indiscreetly volunteered a remark which he was not called upon to make. Should the noble Lord not be able to give proof of that which had been communicated to him, and which the noble Lord believed, was he to be free from all blame and responsibility? He (Colonel Evans) did not anticipate that any of these results would occur, but as a contingency had been mentioned in the one case, he did not see why it should not be mentioned in the others. He had risen chiefly to mention one fact. He was last year a member of a Committee which had under consideration a charge of public *espionage*. Facts were stated before that Committee of which many Members had at first expressed their disbelief, and he owned that he did not think them worthy of credit; but it was proved, that fifty successive written reports had been made by spies, sent as such by officers (of the police), and this was in only one district, where the whole of the police force did not exceed 200—a very small number in comparison with the whole police force of the metropolis. The Committee had, however, come to the conclusion that the whole was an innocent transaction, and that the heads of the department were ignorant of the matter, but that care should be taken that nothing similar occurred again. He, however, was of a different opinion, for he did not think that if business were properly attended to, fifty successive reports could have been made by spies without their coming to the knowledge of the heads of the department. There was something similar in the present case; and he did hope, that under the circumstances, his Majesty's Ministers would come forward and say, that it had arisen in mistake, and that no further notice should be taken of it. On one point he differed from the hon. and learned member for Dublin. He did not think, as that hon. Member and the hon. and learned member for Hull seemed to think, that it was a sort of contest of dialectics between them. In his opinion it was wholly unnecessary for the hon. and learned member for Tipperary to have taken any step in it. He should have left the matter between the noble Lord (Lord Althorp) and the hon. and learned member for Hull. It was a very pretty quarrel between them as it stood, for, according to the account given by the noble Lord, the statement made by the hon. and learned member for Hull was not true. They should be allowed to settle the matter between them.

Mr. *Henry Grattan* assured the right hon. Gentleman (Mr. Stanley) (who had risen at the same time, and the House, that he had not risen from a motive of vanity, nor did he then presume to address the House from any expectation that he could do that justice to the subject which it was sure to have met at the hands of the right hon. Gentleman, in as far as ability was concerned. He could not consent, however, that such a question should be dismissed without further remark. It was not a private or an insignificant question, as some hon. Members would appear to consider it; but it was one of much public importance. It was a charge by one public officer against another—by one representative of the people against another—involving a gross dereliction of principle in the discharge of a public duty. The English and Irish public were interested in a full inquiry. To Ireland the matter was most important, for it might either make it appear, on the one hand, that votes had been obtained against the liberties of that country by the tergiversation of one of its Representatives, or, on the other hand, that such votes had been obtained by a foul calumny. The hon. and learned member for Hull had said, that he could explain; but he had done no such thing. The hon. and learned Member had made an answer to the Speech of the hon. and learned member for Dublin, but he had not explained one word of his own speech, which speech, and not the speech of the hon. and learned member for Dublin, was the one requiring comment and explanation. Nor had the hon. and learned member for Hull adverted to the contradiction given to his statement by the noble Lord (Lord Althorp). But if the hon. and learned Member did not explain or support his speech, he now, and for the first time, denied it. That was certainly strange, for there were three reports of the hon. and learned Member's speech, and it was hardly to be supposed that they were all wrong. The hon. and learned Member had said, that the hon. and learned member for Dublin was warm, and that he would oppose his coolness to that warmth. Be it so. The House would judge which was the most commendable or natural feeling upon the occasion. The coolness of the hon. Member, he would only observe, was that sort of coolness alluded to in the words—"*Tu pulsas, ego vapulo tantum.*" But the real question was, whether or not a system of espionage existed; if so, whether it were to be tolerated; and whether or not the hon. and learned member for Tipperary was guilty of the crime imputed to him. If his hon. and learned friend was indeed guilty, then he fully agreed with the hon. and gallant Member (Colonel Evans), that they might look to expulsion; for a greater offence, as a public man, it was hardly possible for him to have committed. If his hon. and learned friend was indeed guilty, he must be the most finished hypocrite in existence; for he had had repeated conversations with his hon. and learned friend respecting the whole of the Irish Coercion Bill and all its parts, and he had never heard him express but one sentiment upon the subject, which was that of utter objection. He, therefore, could not at all conceive how his hon. and learned friend could have been guilty of the conduct imputed to him; or how any Government runner (spy he would not call him) should have produced the tale. But he held that the Government was bound to do his hon. and learned friend justice. It was important and essential to his hon. and learned friend that the whole matter should be explained thoroughly; and he trusted that no regulations of the House, however properly conceived, would be allowed to prevent such a proceeding. The hon. and learned member for Hull was bound to make good his charge—bound to prove that the hon. and learned member for Tipperary had gone to a Minister—not a Cabinet Minister—and deliberately, not accidentally, or in an unguarded moment, represented to that Minister the necessity of urging the Coercion Bill into a law, although his hon. and learned friend had himself spoken violently and voted against that Bill. Such was the case, and none other, that the hon. and learned member for Hull was bound to prove; and if he did prove it, then, indeed, ought the hon. and learned member for Tipperary to suffer expulsion. For his hon. and learned friend there would be no manner of excuse; but if the hon. and learned member for Hull made good his case, for him there would be some, as it might be readily conceived that his mind had been influenced to oppose the Bill through the conduct of the hon. and learned member for Tipperary. But if he were to go further, and speak of the matter in reference to a far more important subject than the character of an individual Member of that House, he should say it required investigation as likely to prove a part of a system adopted to ruin Irish Members in the eyes of the Irish people. The constituents of his hon. and learned friend, were too well convinced of the value of his great services, and of his honest and independent principles, to be led away by such an absurd charge as this; but, absurd as it was, it involved consequences too important to be allowed to rest where it was. The House would remember that the noble Lord (Lord Althorp) had not only answered the questions put to him, but he had also volunteered a declaration of his belief in the statement which he made, and also volunteered to take all the responsibility on himself. And, further, the noble Lord had implicated more than one Irish Member. Now, he (Mr. Grattan) had never thought proper to notice, out of the House, the charge made by the hon. and learned member for Hull, until his name had been used, and then he had certainly written a letter, in which he said he considered the language of the hon. and learned Member as a breach of privilege, and as such he should notice it. In that opinion he persevered; and he was sorry that any of the present proceedings had been taken. He said that, because the imputation was not merely thrown upon his hon. and learned friend, but was injurious to the Irish Members who voted against the Coercion Bill generally. Hon. Members would bear in mind, that the Irish Members had no titles or high connexions, or anything but their characters, to sustain them. They were sent to that House by the people as their Representatives, because they believed them to be honest, sincere, and labouring for the public good; and he would say, that a more honest or independent body of Members never sat in that House than the Members for Ireland. When such imputations, therefore, as those sent forth by the hon. and learned member for Hull were levelled against them, they ought not to be silent: they ought to have them investigated to the bottom; and he for one would never rest till they were. Whatever might be the result, that was his determination. But it was also his duty to say, that in his conscience and his judgment, he was positive that the charge would prove a most false, foul, and contemptible aspersion.

Sir *Francis Burdett* expressed his deep regret that this case had been already suffered to occupy the House to such an extent; and he could not see any other effect which it could produce on the public mind but that of involving its own degradation. He did not see how it was to go further with it, or in what way the question of privilege could arise, or how this Committee which was moved for was to act, or in what way its authority was to be exercised, or how it was to proceed. As far as the hon. and learned member for Tipperary was concerned, he did not see that there was anything in the case to touch him, for he should be ashamed of himself if he did not solemnly declare his entire belief in that hon. and learned Gentleman's asseveration of his innocence. He would repeat, that he did not know in what way the Committee were to proceed in the matter. The charge had now dwindled away, it had shrunk like a phantom, and eluded the grasp. For his own part, he did not see how the Committee were to collect the information that might be desired. Suppose, for instance, he were called upon to repeat what had transpired in private conversation; he would say that he had a peculiar defect in his memory, so that he could not recollect what any man said to him in his private conversation; and if private conversation was not to be detailed, on what was it that they were to proceed? Might it not happen to any public man to give a strong opinion in private, on a particular measure, and afterwards, on more mature consideration, to vote differently from what he had said? For his own part, he could say, that it had often happened to him, to give his vote in that House differently from the impressions made on him at first by it, and which impressions he had expressed in private, as they first arose in his mind; but he did not think that in so doing, he had been guilty of any dereliction of honourable principle, or of any political inconsistency. In the present case the Report was a calumny, or it was a story repeated from private conversation; but he did not think that matters taken from private conversation ought to be made the ground of a public charge amongst gentlemen. What took place in the discussions on the Reform question, particularly in former Parliaments, when the majorities against that measure were very great, and when the Anti-reformers were making great exertions, and a firm stand against the progress of the question? Why, it was a common thing to taunt hon. Members who supported the measure, and say, "That is not your own private opinion; you speak from intimidation, and are afraid to avow what you think;" but he had never understood, that by any such language, a charge was meant to be conveyed, that the party so alluded to was guilty of any dereliction of public principle. He himself had often voted for measures, which, but for their being connected with some other important object, he would never have sanctioned; measures for which, if taken in the abstract, no consideration could induce him to vote; and he did not conceive that in so doing, he violated any honest or independent principle. It was, he admitted, a most painful thing for any man to have an imputation cast upon him, however unfounded it might turn out to be. It was well known how a charge of any kind, when once made, was inflated; and that a suspicion was considered to attach, when a man was called on to answer any charge, no matter how unfounded; but in, the present case, he thought that the charge made was already fully answered. There was, in fact, no accuser, and there was nothing which, in his opinion, a Committee of Inquiry could go upon. For himself, he would repeat, that he was perfectly satisfied with the asseveration of the hon. and learned member for Tipperary. He hoped that the House was equally satisfied, and that it would see the paramount necessity of going on with the public business. With these feelings he would move as an amendment, that "the House do proceed to the order of the day."

Mr. *Sinclair* seconded the Amendment. He observed, that he had understood the hon. and learned member for Hull, to deny that he had said in his speech, that an Irish Member, who had voted and spoken warmly against the Coercion Bill, had gone to a Minister to urge that measure forward.

Mr. *Hill* had said, on a former evening, and would now repeat, that an Irish Member had made a communication to Government, to the effect, that the Coercion Bill, against which he had often spoken and voted, was necessary for the safety of Ireland. He had never departed from that statement.

Mr. *Sinclair:* Then why say, that the Reports of the hon. and learned Member's speech, as given in the newspapers, was incorrect?

Mr. *Hill:* I did not say so, except as far as this—that, speaking from memory, I had no recollection of having used the words, "that votes were obtained by such machinery."

On the Amendment being put from the Chair

Sir *Henry Willoughby* said, the charges made by the hon. and learned member for Hull, and by the noble Lord (Lord Althorp) were so much at variance with each other, that in his opinion, any defence from the hon. and learned member for Tipperary was unnecessary. He thought, that the appointment of a Committee would be a dangerous precedent; and he entirely concurred in all that had fallen from the hon. Baronet, the member for Westminster. If once that House took upon itself to inquire into the transactions of private life, the most mischievous consequences might ensue. If, therefore, the Amendment was pressed to a division it should have his vote, although he found the opinion of the majority was opposed to it.

Mr. Secretary *Stanley* said, that no question which had come before the House within his memory presented so much difficulty as to the course which it would be safest and best for them to pursue, because if, on the one hand, they should decide against any inquiry, many hon. Members might complain that injustice was done to them, and because it would be difficult to make the public understand the grounds of objection to the Motion for the Committee; while, on the other hand, they could not shut their eyes to the dangers and difficulties which such an inquiry would involve, and with which it must be attended, and to the still greater difficulty of bringing it to a practical conclusion. The hon. and learned member for Dublin seemed to think that he (Mr. Stanley) had raised a difficulty as to the possible results of the inquiry, and, indeed, had imputed motives to him in the course which he took. He had no motive nor any object, beyond that of a desire to recommend that course which might be found most convenient to the House and satisfactory to the public. Now what was the case before it? The hon. and learned member for Hull had in the last autumn made a speech to his constituents at Hull, in which he said that some Irish Member, whom he did not name, had gone to, or made a communication to, Ministers, to the effect that he was favourable to the Irish Coercion Bill, but that he felt bound to speak and vote against it, and that he had so done. This was in substance the statement made. He did not know whether it was made after dinner or not, but it was not made as a charge against any individual, for no one was named. A statement different in some important features had been made by his noble friend (Lord Althorp), in answer to questions from the hon. and learned member for Dublin. Now, he agreed in the analogy drawn between this part of the case and the questions that sometimes arose on the Reform Bill. It was undoubtedly a fact that Members who differed from some parts of that measure, and expressed that difference in private, had, nevertheless, given their votes in favour of the Bill as a whole, because, as a whole, they thought it would be a general benefit to the country that it should pass; but would it not have been exceedingly absurd to come down to the House, and accuse such individuals of speaking in private against parts of a bill which, as a whole, they supported? There could not be a broader distinction than that which existed between the declaration made by the hon. and learned Gentleman and the statement which proceeded from his noble friend, who being interrogated made a statement respecting certain Members of that House, whereupon the hon. and learned Gentleman rose in his place and called upon his noble friend to state if he were one of the number. His noble friend replied, that the hon. and learned Member was one, upon which that Gentleman entered a distinct denial, and there the matter stood—there was nowhere to be found an accuser. The House was bound to believe the denial of the hon. and learned Gentleman, and at that moment there was nothing which even approximated to a charge against him; and it only remained for him to abandon his demand for an inquiry, and there the matter might end, without any imputation resting upon him. Turning his attention to what was passing at the other side of the House, he might, he trusted, be permitted, without offence, to draw an inference from the gestures and looks of hon. Gentlemen, who very frequently took upon themselves the task of interpreting the peculiar expression of his countenance, and he would tell the hon. and learned member for Tipperary, that those who urged him to persevere in the demand for an inquiry, were giving him advice the adoption of which was by no means necessary to his vindication. Beyond all question the advice proceeded from one whose sincere and friendly feelings the hon. and learned Gentleman could not have the slightest reason to doubt. Be the charge heavy, or be it light, the whole extent of it had been stated, and nothing beyond that had even been insinuated against the hon. and learned Member — greater or smaller, heavier or lighter, no one had gone beyond the charge which he had just stated, and it was now for the hon. and learned Gentleman to say whether or not he would demand an inquiry. Be it remembered, too, that the hon. and learned member for Hull had not pointed at any individual whatever, and it became thereupon a very serious question for the House to determine whether, under such circumstances, they would sanction such a precedent as the proposed inquiry went to establish. For his own part, he saw in such a proceeding a most fertile source of inconvenience and embarrassment. Why should that House be made the instrument for obtaining evidence respecting a speech published in the newspapers, but not delivered within the walls of Parliament, the more especially when that inquiry could scarcely be prosecuted without a breach of private confidence? But let the inquiry come, and he could have no feeling of uncertainty as to the result. His hon. and learned friend (the member for Hull) was not the man to shrink from the avowal of any word or deed for which he ought to stand responsible—he was not the man to let his publisher suffer. No, the sentiments of gentlemanly feeling and high honour, for which all men gave him credit, forbade the possibility of a surmise so eminently discreditable. Now, what would ensue if that inquiry were agreed to? The hon. member for Hull would be brought before that House. Would it be wise to call upon that hon. and learned Gentleman to single out the individual with regard to whom he had made the statement in question? To any proceeding of that kind he must declare himself decidedly opposed. The hon. and learned member for Tipperary had given the most positive denial to the statement, and, looking at the circumstances out of which the discussion arose, he could not but consider that the inquiry must be attended with the most inconvenient and even distressing consequences; but if the hon. and learned Gentleman persevered in demanding a full inquiry, he was not the person who would vote against that investigation, but he should enter upon it with a full sense of the inconvenience and the danger of the precedent which would be established. He should proceed to the investigation with a full persuasion of the injury it would inflict upon private confidence and social intercourse. [*Cheers.*] He thanked hon. Gentlemen opposite for those cheers, and he begged them and the rest of the House to go along with him, not only in expressing a full sense of that danger, but in a deliberate declaration of its nature and extent, and of the mischievous precedent which it would create. He sincerely lamented that his noble friend had answered the first question put to him; but he would not say that, having gone so far, the House should now stop short and proceed no further. To him he confessed it did appear most extraordinary that any hon. Member in that House could bring himself to say that the hon. and learned member for Tipperary had been made the object of a system of espionage: there was not the shadow of a shade of accusation against that hon. and learned Gentleman. His noble friend did not stand in the capacity of an accuser; he stated what he knew, and when closely questioned, he stated that the conversation had related to the hon. Gentleman. Up to the present moment there had been no breach of confidence; there never had appeared on the part of his noble friend the remotest intention of becoming an accuser. Was there anything in that which necessarily implied that the information had resulted from espionage? The surprise and the repetition of the real or supposed occurrence were both perfectly natural; but once more he begged to express the deep sense of the danger, the inconvenience, and the embarrassment to which such a proceeding must lead; but if the hon. and learned Gentleman persisted in the demand—if compelled by such a demand, he should, however reluctantly, yield that which he felt he could not deny without grievous injustice—he acknowledged that, whichever course the House took, it would be one fraught with difficulty and danger, but if the hon. Member who was chiefly interested, did not afford them the opportunity of stopping short where they were, he (Mr. Stanley) could not refuse to adopt the proposition of the hon. and learned Gentleman opposite.

Sir *Robert Peel* said, he would not follow the example of the right hon. Gentleman who had just concluded, and enter upon the observations he had to offer, by promising to speak to the question under discussion with coolness, lest, like the right hon. Gentleman, he might, of course through inadvertence, expose himself to the charge, not of speaking without the walls of the House differently from what he did within them, but, and in his opinion to a graver charge, of speaking towards the conclusion of his address in a spirit, if not diametrically, very nearly the opposite of that to which, on setting out, he had pledged himself. No one, he begged to observe, could feel more deeply than he did the extreme difficulty of the situation in which the House found itself placed on the present occasion. He felt deeply that difficulty for many reasons, but for none more than that arising from a fear—a well-grounded fear he had reason to think it was—that they would gain no credit from the public for the time which had been occupied in the present discussion. He feared that the public, neither having watched, or, if they had, not being capable of comprehending the progressive steps by which the House became involved in their present difficulty, they would be disposed to think their representatives were trifling their time away in such discussions, while questions of the deepest importance were awaiting their consideration. For some time past the public mind had been impatiently directed to the meeting of Parliament, for the purpose of ascertaining what measures of relief, what plans of further reform, would be proposed by the Government, with a view to the removal of those burthens of which the country complained; and when it appeared that the House of Commons, as well as the Government, instead of applying themselves to the important business for the transaction of which Parliament had been assembled, were occupied solely in the settlement of matters of a merely personal nature, in no wise interesting either to them or the country; and when, moreover, they discovered that those matters of a merely personal nature procured a much larger attendance, and excited far more interest, than the discussion of matters of the highest public importance, it was but too reasonable to apprehend that great discontent and dissatisfaction would be manifested. If the question at issue upon the present occasion were merely whether an inquiry should be instituted to ascertain if a Member of the House of Commons had expressed himself out of the House at variance with his conduct in the House, he would never give his consent to such a proceeding; being firmly convinced many occasions might arise when a Member of Parliament might so act, without being influenced by motives in the slightest degree discreditable either to his character as a Legislator or a Gentleman. He could himself cite many cases in which it would be perfectly consistent with honour, if not with a wise determination, for an individual placed in the situation of a Legislator not merely to conceal his own private feeling, but, without laying himself open to the charge of hypocrisy, to give his support to measures diametrically at variance with such feelings. What was the basis of all party connexions? Could a party subsist even for a day if it was necessary, for the purpose of laying claim to the character of an honourable man, each component part of it should express in public the precise sentiments he entertained in private? Supposing a person at a dinner table to express his private opinion of a measure originating with a party with whom he was united in public life, was he, in the event of his giving up that private opinion, out of deference to his party, to be exposed to a charge almost amounting to dishonesty? The idea was absurd.—What was the every-day conduct of Government itself? Was there any one in that House so ignorant as to suppose that on many questions Cabinet Ministers, yielding to the decision of their colleagues, did not speak and act in their places in Parliament in strict conformity with the opinions they had expressed in the Cabinet? If Ministers were to be taunted on every occasion that they held opinions in the Cabinet different from what they did in that House, and if Parliament were to be made the scene of those taunts, he believed he should not be going too far in saying the House would have time for little else. It was the uniform practice with all governments, and he should be sorry to think the practice carried any stain with it, for a Member of the Administration who chanced to entertain opinions differing from those of the majority of his colleagues, rather than separate himself from them, to submit to be overruled, and even though they did not fully concur in their policy, to give their support to the measures which, as an Administration, they promulgated. He would give the House an instance of this fact. It was very generally reported, on a late occasion, that upon the question of sending troops to Portugal, a strong difference of opinion took place in the Cabinet.—Now would it, he asked, be either just or fair to call on those who, in the discussion of the Cabinet, had spoken in favour of sending out troops to aid the cause of Donna Maria, to come down, and in Parliament advocate that measure in opposition to the decision of their colleagues. No one would think of doing so. Again, he would suppose the case of a Member representing a large constituency, who entertained, upon an important question, an opinion at variance with that of the body whom he represented. Would it not be monstrous to charge that man with acting the part of a hypocrite, if, after explaining to his constituents what were his private opinions, he were to say to them, "Such and such are my opinions; but, as they do not happen to coincide with your's, I shall feel it my duty to yield them up, and act in conformity with the views you entertain upon the subject?"—He would not go the length of saying, that such ought to be the conduct of a Representative who found his private opinions at variance with the wishes of his constituents, but he contended, that the charge of dishonest or dishonourable conduct would not lie against a man for so acting. If, therefore, the mere question at issue was, whether a Member was liable to have his conduct arraigned for speaking out of the House differently from his conduct in the House, he would not, for the reasons he had stated, give his consent to the inquiry which it was now proposed should take place. Upon abstract grounds, moreover, would he vote against such an inquiry, namely, the establishing of the fatal, the dangerous, precedent of making the House of Commons the medium of inquiry into private communications, into confidential conversations. Regarding the proposition in that point of view, it did, he confessed, strike him with the greatest alarm. While upon this part of the subject, he wished to observe that he most deeply lamented (giving the noble Lord, at the same time, every credit for the spirit and manliness he had throughout manifested) the course which the noble Lord had taken. That that course was dictated by spirit and manliness, no one could deny; but while the admission was made, it was deeply, deeply to be lamented, that, except spirit and manliness, nothing was to be found in it. In reply to the question of the hon. and learned member for the city of Dublin, it was open to the noble Lord to have answered, that no such communication as that alleged to have been made to him had been made; and had the noble Lord so answered, as it was perfectly competent for him to have done, the House would not have been placed in that situation of difficulty it now found itself in, and the public time would not be sacrificed as it already had been, and as there was reasonable ground to fear it yet would be, in the adjustment of the matter. The question then for consideration, however, was, seeing all the difficulty of the case, how that difficulty was to be got rid of. For his part, impressed as he was with the inconvenience of the course proposed—fearful though he was, that in granting the desired inquiry the House would be establishing a precedent which hereafter it might be as difficult as it would be desirable to get rid of—he would submit to that inconvenience, and incur the utmost evils of the precedent, rather than be a party to an act of positive, of flagrant, injustice to the hon. and learned member for Tipperary. Dangerous as was the precedent which the proposed inquiry might hereafter establish, that precedent, by which a positive undeniable act of injustice would be done to the hon. and learned Gentleman, if he were refused those means of self-exculpation he so earnestly demanded, was equally, if not more dangerous; and the more certainly it was avoided, the more creditable it would be, as well to the dignity, as to the manliness of their Assembly. If, therefore, the hon. and learned member for Tipperary should persevere in his demand for an inquiry,—if, not content with the belief which his solemn declaration had produced—a declaration to which he gave every credit, and upon hearing which he did, as he was bound to do, believe the hon. and learned member entirely innocent of the charge brought against him, the hon. and learned Gentleman claimed to have not only the statement of the noble Lord, but that originally made by the hon. and learned member for Hull, fully investigated, —if, unwilling to let the matter drop at its present stage (which, he contended, he was at perfect liberty to do, without in the smallest degree laying himself open to the charge of shrinking from the inquiry he had so earnestly demanded) the hon. and learned Gentleman stood up in his place and said, "I consider I still labour under an unjust imputation; give me the means of clearing myself,"—should no other Member go out with him, in the event of a division, he (Sir Robert Peel) most certainly would. The hon. and learned Member had been placed in an extremely embarrassing situation by the interference of the House; and it would, he thought, be an act of gross injustice not to carry that interference further, and, as far as lay in their power, give him then the means of extricating himself from the difficulty with which he was now surrounded. The charge originally made was made against Irish Members generally. It was a most serious one,—involving, in point of fact, an act so discreditable in every sense of the word, that, unless satisfactorily explained, it would be sufficient to condemn the party implicated, not only in the eyes of every man possessed of the feelings of a gentleman, but in the eyes of the constituency whom he represented. That charge had been denied, solemnly denied, by the hon. and learned Gentleman; and, as in itself it bore no internal evidence of truth as applicable to that hon. and learned Gentleman, the matter would there have terminated, had it not occurred that,—in a reply to a question put to him touching the truth of an allegation, part of such original charge,—the noble Lord, the Chancellor of the Exchequer, very unfortunately for himself and for the House, propounded a charge of a somewhat similar tendency against the hon. and learned Gentleman individually, which, he alleged, had been reported by a third party to him. This gave a force to the original charge which, abstractedly, it had not; and the hon. and learned Gentleman against whom it was aimed having, with a view of exculpating himself, claimed an investigation, the House had no alternative but to grant it. They had already once interfered for the purpose of preventing the hon. and learned Gentleman from procuring that redress there was too much reason to suppose he meant seeking elsewhere, and having done so they could not, consistently with justice, shrink from the only means left by which that redress could be obtained. For these reasons, it was his intention, in the event of a division, to give his vote in opposition to the amendment of the hon. Baronet, the member for Westminster.

Mr. *O'Connell* was glad that they had at length arrived at what might be considered the conclusion of this protracted discussion. The hon. member for Hull had seconded his Motion, but he did not believe him very sincere in his advocacy of it. Those hon. Members who had attended to the debate must have perceived that the noble Lord (Lord Althorp) had thrown the hon. and learned member for Hull (Mr. Hill) overboard, and had made a distinct and separate charge. The right hon. Secretary for the Colonies (Mr. Stanley) had, in the course of his address, made some observations upon the conduct of the hon. and learned member for Hull, in the course of which the allusion to him (Mr. O'Connell) could not be mistaken. He had not provoked that allusion, but it appeared that the right hon. Gentleman could not help it. The hon. and learned member for Hull was on his way to the Bench, he was certainly looking up to it, he was in a fair way for it, and, perhaps, very properly so. The right hon. Secretary of State had told them that in the event of any proceeding with reference to this matter, the hon. Member could not, as a man of honour, have left his publisher to take the responsibility of what he had said or written. But if the hon. and learned Gentleman were to attain the object of his ambition (he would be my Lord then,) and if his Lordship should find that a Jury impanneled before him were notoriously packed—if he found that every honest and liberal-minded man was excluded from that Jury for party and political purposes, then, perhaps, he would not be so ready to stand in the shoes of his publisher. This, however, was not a subject upon which he intended to say a word; he would not have touched upon it had it not been introduced by the right hon. the Secretary for the Colonies. Now, then, they were to have their inquiry, and the hon. and learned member for Hull was to bring his witness before the Committee. He was glad that there was to be an inquiry, because he felt convinced, at least he had some hope, that they should be able to arrive at the truth.

Sir *Robert Inglis* regretted being obliged on the present occasion to differ *in toto* from the opinion expressed by the right hon. Baronet (the member for Tamworth). He could not think that the cases his right hon. friend had put to the House in support of the view he took in any degree met the case under discussion. His opposition to the proposed investigation arose from the conviction that the jurisdiction of the House was utterly incompetent to meet it. How, he asked, would it be possible to compel any hon. Member to state in a Committee of that House what he refused to state in the House itself? They had all heard the noble Lord (Lord Althorp) say, he would not state the name of his informant to the House. Would he do so to the Committee? He thought the same reason which prevented the disclosure in the House, would prevent it in the Committee, and the result in consequence would be the establishing of a dangerous precedent, without arriving at any practical conclusion.

The House divided upon the Amendment of Sir Francis Burdett, "That the other Orders of the Day be now read."—Ayes 54; Noes 192: Majority 138.

The original Motion was agreed to, and the Committee appointed.

List of the Ayes.

Benett, J.
Bethell, R.
Blackburne, —
Blackstone, W.
Buxton, F. T.
Cavendish, Lord
Crawford, W.
Curteis, E. B.
Curteis, H.
Divett, E.
Dundas, Capt.
Evans, Col.
Evans, W.
Foley, H. J.
Fort, J.
Goring, H.
Guest, J. J.
Hawkins, J.
Inglis, Sir R.
Irton, S.
Leete, B. L.
Lloyd, H. J.
Lushington, Dr.
Marshall, J.
Marsland, T.
Mildmay, P. S. J.
Morrison, J.
Moseley, Sir O.
North, F.
Ord, W. H.
Peters, W.
Philpotts, J.
Pryme, G.
Richards, J.
Rider, T.
Rolfe, R. M.
Romilly, E.
Rotch, B.
Russell, W. C.
Ryle, J.

Sanford, E. A.
Scrope, P.
Shawe, R. N.
Sinclair, G.
Stanley, E. J.
Strickland, G.
Strutt, E.
Tollemache, A. G.
Tooke, W.
Tullamore, Lord
Watson, Hon. R.
Walter, J.
Wilbraham, E.
Willoughby, Sir H.

TELLERS.

Buller, C.
Burdett, Sir F.

HOUSE OF LORDS,

Tuesday, February 11, 1834.

INCLOSURES.] Lord *Ellenborough*, in pursuance of his notice, moved for the appointment of a Select Committee to consider of the means of facilitating the exchange and inclosure of lands lying in common fields, meadows, and pastures; and that such Committee should examine into the subject, and report their opinions thereon to the House. The manner in which he had framed this Motion would, he thought, not leave it open to any misunderstanding as to its object, but it would, perhaps, be as well that he should state his views to the House. It was not his intention to bring in any Bill for the inclosure of waste lands, and he must say that he did not believe the inclosure of waste lands would be productive of advantage. At least he was sure that there were few lands of that description which could be advantageously inclosed, and brought into cultivation at the present price of corn, or at that price which corn was likely to bear, under the existing laws. Besides this, he thought that a right to common was a public advantage. The poor man saved a small sum, and bought a small piece of land, the great benefit of which to him was, that there was connected with it a right of common. It was desirable that this should be continued, and he should regret the introduction into Parliament of any general measure that should put an end to it. But at the same time, he thought that parishes should have the power to inclose a portion of the waste lands, for the purpose of forming a fund to assist in the relief of their poor. His object was to facilitate inclosures of those common fields, meadows, and pasture lands, that had been in cultivation time immemorial, but which could not be cultivated to the best advantage so long as they were subject to a right of common. It was particularly desirable, that if their Lordships passed any Bill on this subject, they should do it at this time. It was the intention of his Majesty's Government to propose a measure for the commutation of tithes, with a view to their ultimate reduction. Such a commutation must be accompanied with a valuation of the land. If a measure of the description he contemplated was afterwards brought in, another valuation must take place; whereas, if it were now passed, one valuation would be sufficient, and thus much expense and labour would be saved. There was another object which he contemplated in his Motion. It was the intention of his Majesty's Government to propose a measure relating to the Poor-laws. Whatever measure that might be, it would create some alarm among the persons who were entitled to relief. It was, therefore, desirable before it was introduced, that a measure should be passed, which would have the effect of considerably increasing the demand for labour. Such would be the effect of the sort of Bill he desired to propose. There was still another reason for his Motion. There was no doubt that the Report of the Committee on the state of agriculture, which sat last Session, and the declaration lately made in the Houses of Parliament by the Ministers, that they did not propose to make any change in the Corn-laws, but that, on the contrary, they would oppose any proposition for such a change, had produced a degree of confidence in the agricultural interest such as had not existed within the last three years; and it was, therefore, probable that agricultural enterprise and industry would receive a considerable impulse, such as it had not received since the first agitation of the Reform question. Under these circumstances he proposed his Motion.

Motion agreed to, and a Committee appointed.

THE KING'S SPEECH—FOREIGN AFFAIRS.] Viscount *Strangford* wished to ask the noble Earl opposite, whether the negotiations that had been entered into between this country and France, respecting commercial matters, were likely speedily to be concluded, and whether it was probable that they would be successful? He asked this question chiefly in consequence of two remarkable passages in his Majesty's Speech, coupled with the interpretation he felt obliged to put on obvious facts. In the first place, it was said in his Majesty's Speech that there was a good understanding between this country and France, an announcement which he was happy to hear. He could not suppose that this announcement was lightly made, and he could not believe that his Majesty would have made that statement, unless France had shown some disposition to relinquish the attitude of hostility—for such he must call it—which she assumed with regard to the manufactures, commerce, and navigation of this country. In another passage of the Speech it was said, that the commerce and manufactures of this country afforded the most encouraging prospect of progressive improvement. He should not trouble their Lordships with his doubts as to the general accuracy of this statement, indeed it would not become him so to do, but he must say that he disbelieved that this state of prosperity could be progressive, if the Powers of the Continent, both great and small, should continue to combine together to act in direct opposition to us, and made a mockery of our boasted reciprocity system; and especially if France should still exhibit, as she had hitherto done, a determined system of repulsion on all matters connected with the commercial interests of this country.

Earl *Grey* would confine himself to merely answering the noble Viscount's question, which was whether the negotiations, as the noble Viscount was pleased to term them, between this country and France, respecting commercial matters, were likely to be speedily and satisfactorily brought to a conclusion. He was not aware that what was going on deserved the name of negotiations. There had been Commissioners appointed on both sides to examine the laws relative to the customs in both countries, with respect to such commercial arrangements to be made by each country as each might think most proper. A voluminous Report had been presented to his Majesty's Government, and there had been laid on the Table of the French Chambers, the project of a law for the new regulations of their tariff. What that law was he did not know, and he had not at that moment authority to say what would be the effect of the regulations intended to be proposed; but he might state that the Commissioners recommended a revision of the laws which would be advantageous to both countries. He should wish to observe that the noble Viscount was wrong, if he concluded from the Speech from the Throne that the expression "good understanding" must relate not only to a political but to what he might deem to be a commercial good understanding. There might be many difficulties with respect to commercial arrangements, depending as they did on many and such varied interests, without in the slightest degree impugning the general good understanding between two Powers. If what the noble Lord called the repulsion system was continued in France, it might be matter for consideration what steps we should take with respect to our commercial relations with that country. The noble Lord ought to know that the most perfectly good understanding might exist between two governments, that they might be on the most friendly footing with each other, and yet that neither of them might have the power to remove certain commercial restrictions to which the other might object. He must, therefore, disclaim the idea that the passage had any other than a political reference. As to the statement relating to the progressive prosperity of the country, he believed that the Returns on the Table would show that what had been said in the Speech on that subject was perfectly true, and notwithstanding what had been stated with regard to combinations to exclude British manufactures from the continent, he entertained the most sanguine hopes that their use would be considerably extended. He would only add, that the Commissioners on both sides had devoted the most laborious attention to the subject, and had produced most voluminous reports. He could not say directly what would be the result; but he hoped that gradually a better understanding on these subjects would prevail, and that other nations would, like ourselves, perceive that their true interests were not promoted in repelling in any degree a free commercial intercourse with their neighbours.

The conversation was dropped.

HOUSE OF COMMONS.

Tuesday, February 11, 1834.

Minutes.] Petitions presented. By Sir William Folkes, from R. Deering, against any Alteration in the Corn Laws.—By Mr. E. Buller, from Swineston, Stafford, for an Alteration in the Tithe Laws; and by Mr. Tooke, from the Clerks of the Court of Requests at Westminster, praying that the Return made from their Office of July 12th, which had been falsified by a Clerk since dead, might be withdrawn, and a New and Corrected one might be substituted.

Church Patronage (Scotland.)]

Mr. *Sinclair* presented a Petition signed by the Minister, Elders, and 315 Parishioners of Wattin, in Caithness, praying for the repeal of the Act of 1712, by which patronage was again imposed on the Church of Scotland, and that the general assembly should be empowered to determine in what manner its pastors should be elected. As this was precisely the object of the Motion which he had brought forward last year, he need scarcely say how entirely he concurred in the prayer of these highly respectable petitioners, than whom none were more devoted to the principles of pure and undefiled religion. He should never cease to contend, that the present system of nomination is unhallowed and inexpedient. St. Paul declares that the love of money is the root of all evil—No, says the advocate for patronage, the possession of money shall be the source of all power. Let any man, whatever be his principles—whatever his objects—whatever his moral conduct—acquire the means of purchasing a presentation, and *uno minor est Jove*—he is at once endued with such a superabundance of discrimination, that his individual *fiat* shall supersede and control the wishes of the entire flock, amongst whom his nominee is appointed to minister. Supposing that Mr. Carlile was to realise a few hundred pounds by the sale of blasphemous publications, and should consider a Scotch patronage as an eligible mode of investment, by which he might be enabled, at a cheap rate, to provide for a son or a nephew. The bargain would very easily be concluded—the power of appointing ministers in the Church was often put up for sale—the auctioneer's hammer might soon place some thousands of Christian souls in Mr. Carlile's power, and at his mercy. "Go," he might say to his young relative or protegé—"Go to Glasgow or Edinburgh for a few years—attend certain courses of lectures, or at least take out certain tickets —learn by rote the system of absurdities embodied in the creeds of the Church. You may as easily acquire a knowledge of them, as of the systems of Plato or Confucius. Take heed to your outward conduct, don't get into any palpable scrapes, and I shall then, by the sacrifice of a few hundred pounds, have realised in your favour a handsome provision for life." The young man would only have to follow out the line of conduct thus prescribed, and in the course of a few years it would be proclaimed to the public in all the solemnity of official announcement, that "Richard Carlile, Esq. has been pleased to appoint the Rev. A. B. to the parish of C., vacant by the death of the Rev. Dr. D." The unanimous voice of all the parishioners, high and low, might be raised against a nomination, dated, perhaps, from Newgate, where the worthy patron might be expiating in confinement the crime of blasphemy. The grey-headed elders might protest and entreat; it might be obvious that ninety-nine out of a hundred would secede from the Church—that more than one dissenting meeting-house would instantly be erected; what, then? All this weighed but a feather in the scale—grave principals of Universities—learned professors of Divinity—the legal sages in our Courts of Law—the venerable leaders of our provincial synods—would all stand forward as one man to maintain the sacred rights of Mr. Carlile and his nominee—whilst the aged and respectable cottage patriarchs, protesting against such an unhallowed usurpation, would be coldly and unceremoniously dismissed from the bar of the assembly. Would any man venture to deny that, during the last 120 years, many persons, to whom the Church had intrusted this high and responsible privilege, have evinced no sense of vital godliness in their own conduct, and no respect for the interests of the people in their appointments? And could the House be surprised that associations should spring up for the overthrow of a Church, which pertinaciously clings to these abuses? He had been accused of being an enemy to the establishment; but he was a steady and zealous friend to its doctrines, its discipline, and its welfare. For years he had been standing forward as the inveterate denouncer of these grievances, which alone could endanger its stability, for years he had been endeavouring to obtain such reforms as might enable orthodox Presbyterian Dissenters to return within its bosom. In confirmation of this assertion, he might invoke the irrefragable authority of the profound and venerable historian of Knox and Melville — the champion of everything that is pure and lovely, and of good report. In a speech at a public meeting in January, 1833, Dr. M'Cree said, in reference to his (Mr. Sinclair's) exertions—"He addressed to me a letter several years ago, in which, after adverting to the marked improvement of the national Church, in point of evangelical doctrine, and to the harmony of views which existed between myself and another person, for whom our love has since, by the sovereign disposal of heaven, been converted into a holy and solemn regret (Dr. Thomson), he proposed the serious question—Can nothing be done to bring into closer connections the friends of religion in the establishment and in the secession? I answered the letter respectfully, and I trust without any of the sour leaven of sectarian jealousy, but with the characteristic caution of a Scotsman, taking due care not to pledge myself deeply—and among other things mentioning that, in my opinion, no improvements which had taken place, and no arrangements which might be made, would heal the breach, so long as that yoke, which neither we nor our fathers were able to bear, remained on the necks of the Christian people of Scotland." Thus he had been labouring to heal the divisions in our Zion, and enable Christian brethren to dwell together in unity. But not so the persons who were lauded and confided in as the pillars and the ornaments of our Church. He should illustrate, on the authority of a Scotch newspaper received this day, the system which is resorted to for attaching the Christian people to the Established Church. "On the 30th of last December, died the Rev. Mr. William M'Call, minister of Mulravon-side; and on the 14th of Jan. this Gazette announced the appointment by the Crown, of the Rev. James Macfarlane to the vacant parish, just fourteen days having elapsed between the demise of the old and the appointment of the new incumbent." "On the 24th of January, died the Rev. William Woodow, minister of Dreghorn in Ayrshire; and within a little week of Mr. Woodow's death, Lady M. Montgomerie has presented, we understand, the Rev. Mr. Jamieson, preacher of the Gospel, to the vacant parish. The heritors, who, if they do not pay the stipend, at least build and repair the church and manse, and on whose good will the establishment is dependent for its future existence and extension, have not been consulted. The elders, who are expected to help with the minister, and who give their labour without fee or reward, have not been consulted; the parishioners, who are expected to receive the pastor into their families, and to put their spiritual interests and those of their children into his care, have not been consulted." He had no personal knowledge of the facts here stated. He should sincerely rejoice if they could be positively denied, or should be found to admit of a satisfactory explanation. But if patrons were to be left in the uncontrolled possession of their arbitrary jurisdiction, and the spiritual welfare of the Christian people, who seek for a voice in the election of their own pastor, must be sacrificed to the temporal interests of rich men, who love pre-eminence, they would find voluntary Church associations springing up in every quarter, and the Church of Scotland would fall a victim to the obstinacy with which abuses had been adhered to, and reasonable concessions withheld.

Petition laid on the Table.

LOCAL COURTS—JUDGES' RULES.] Lord *Althorp* took this opportunity of answering a question twice put to him on former days; it was, whether Ministers intended to introduce any measure for the establishment of Local Courts? He was now enabled to state, that such was the intention of the Government, and they thought it best that the Bill for the purpose should originate in that House.

Mr. *O'Connell* was glad to hear of this determination. No measure was better calculated to give relief to the King's subjects than the establishment of Local Courts. He might, perhaps, be allowed to advert to the new Rules sent to the House by the Judges. However humble might be his opinion, he felt bound to say, that it was very adverse to those regulations. By them an enormous power over a vast amount of property was given to the Judges in matters of costs; and he should be able to demonstrate that some of the rules would tend very much to multiply suits, instead of making one action final. They also left the doctrine of special demurrers, as at present; and special demurrers, or pleadings upon points merely formal, were a disgrace to the law of the land.

The *Solicitor General* would not enter into the discussion until the subject should be regularly brought before the House; but he was satisfied that the Rules would do more to simplify the law, and to facilitate the administration of justice, than any legislative measure that could be adopted.

Mr. *O'Connell* asked whether the hon.

and learned Gentleman meant to bring them under the consideration of the House?

The *Solicitor General* replied, that those who, like himself, approved of the Rules, would, of course, not bring them forward. If they remained on the table six weeks without change, they were to have the force of law. It was for those who objected to them to direct the attention of the House to the subject.

The conversation was dropped.

Disfranchisement of Carrickfergus.] Mr. *O'Connell* rose to move for leave to bring in a Bill to disfranchise the borough of Carrickfergus. It would not be necessary for him to trouble the House at any length by entering fully into the subject which he rose to bring under its consideration, for he had, on a former occasion, when he obtained leave to bring in a Bill on the same subject, stated at some length the grounds upon which he did so. The Bill, for leave to bring in which he was now about to move, was founded upon the Reports of two Committees. One was the Election Committee, which found that, not only was the last election for the borough of Carrickfergus void, but that bribery and corruption had there taken place, in the course of that election. Upon that Report he had brought in a Bill to disfranchise the borough. In consequence, however, of some gentlemen interested in the fate of the borough in question interfering, the progress of the Bill was stopped, and it was referred to a Select Committee, to make a further Report upon the circumstances connected with the election which had taken place in the borough. The Committee, after hearing further evidence, reported to the House that it was a fit case for a Bill. This being the case, he determined upon bringing in the Bill, which he had now the honour to introduce to the House. He should move upon this occasion, that the Bill be read a first time, and then that ample time should be allowed before the Bill would be read a second, in order to afford the fullest opportunity to investigate every matter connected with it. His Bill was one merely for disfranchising the borough of Carrickfergus. He had not substituted in his Bill any other place for Carrickfergus. He understood, that some other hon. Gentleman intended to propose some other place for Carrickfergus, to return a Member to Parliament. If any other place were proposed, he thought it ought to be in the same province that Carrickfergus was in; and, if a new Member were returned to Parliament, it ought to be from that district in which Carrickfergus was situated. If such a proposition as that were submitted to the House, he would support it. The hon. Member concluded by moving for leave to bring in a Bill to disfranchise the borough of Carrickfergus.

Lord *John Russell* observed, that the hon. and learned member for Dublin had done quite right in giving the parties interested sufficient notice, while at the same time the Bill would be moved forward. He had had some experience in those matters, and the question of the guilt or the innocence of the borough lay in a very small compass. In his opinion, the Bill ought to pass.

Mr. *Shaw* reminded the House, that it was one question whether the bribery and corruption alleged to have existed was sustained by the evidence given in; and, another, whether the borough ought to be entirely disfranchised. He was ready to say that it ought not.

Mr. *Halcombe* was anxious to impress upon the House the importance of the great and vital principle involved in the question thus brought forward. There were no less than five boroughs with which the House would have to deal, if it proceeded to disfranchise Carrickfergus, upon the grounds stated by the hon. and learned member for Dublin,—namely, Liverpool, Hertford, Warwick, Coventry, and Stafford. He was struck with this important question, which all must ask themselves in this House, sooner or later —Were they prepared, as a Legislative Assembly, to take away constitutional rights, upon investigations before Committees, which had no power to examine witnesses on oath? He thought it a most arbitrary proceeding, to take away the constitutional privileges of boroughs, without giving permission for the witnesses called in before Committees of the House to be examined upon oath. Committees had not the power to put oaths to the witnesses, and he thought they should be invested with this power, that they might be enabled to proceed in a more judicial manner. A Special Committee, not having ower to administer an oath to witnesses, had sent in a Report to the House, and the hon. and learned member for Dublin, adopted that Report for the foundation of a Bill, to deprive a borough of its elective franchise. It was stated in that Report, that according to the evidence given before the Committee, bribes had been offered and accepted. What then? That evidence was not given on oath, and, therefore, as far as his humble opinion as a lawyer was concerned, was good for nothing. Were hon. Members prepared to say they could punish those who had received bribes, and that yet, on the same principle, and on the same ground, they could not punish those who had paid the bribes? If the Report of the Stafford Committee was good for one purpose, surely it ought to be good for the other. By that Report, it appeared that one of the hon. Members, at present in the House, for Stafford, had bribed not less than 582 persons; the other, 420; the losing candidate, 301; and yet the two hon. Members for Stafford had still seats in that House. He implored the House to consider the very awkward situation in which it would be placed, if it proceeded in the manner it was doing. Suppose they were to use the Report of the Stafford Committee, as a ground to punish those who had been bribed, what answer could be made to any hon. Gentleman, who might rise in his place, and move for the expulsion of those two gentlemen who had bribed the individuals who were to be punished? The better way would be, not to sweep away, but to extend the franchise, and add new rights to those already existing; but if the House was determined to disfranchise, that disfranchisement ought to be effected by lawful means. He hoped, that upon this occasion, he should not be called an illiberal old Tory. He might, perhaps, more properly, come under the description of a liberal Tory, or loyal Whig; but he cared little what he was called. He was desirous of correcting abuses, wherever they could be proved to exist; but he trusted that the House would proceed upon legal principles, by which means, they would avoid establishing absurd and dangerous precedents. In the case of Liverpool, a new writ was issued, and he saw no reason why a different course should be pursued in the case of Carrickfergus.

Motion agreed to, and the Bill read a first time.

PRINCE LEOPOLD'S ANNUITY.] Mr. *Robinson* said, he had felt it his duty to give notice of a motion for "an account of the sum or sums of money paid into the Exchequer, or otherwise received by the Government, out of the annuity granted by Act of Parliament, to Prince Leopold of Saxe Cobourg, since the accession of His Majesty to the throne of Belgium, specifying the time of such payments." It was well known that his Royal Highness Prince Leopold, previous to leaving this country in order to ascend the throne of Belgium, renounced, with some reservations, to which he would presently more particularly allude, the annuity in question. In the course of last Session, the hon. member for Monmouth asked the Chancellor of the Exchequer, whether any sum had been paid into the Exchequer in consequence of his Royal Highness's renunciation; and the noble Lord's answer, though it did not appear to create much surprise in the House, excited astonishment in the country; for, from that answer, it appeared, that, although the Prince had, up to that period, been a year and a half out of England, the public had derived no benefit from his abandonment of the pension. He was anxious now again to call the attention of the House to the subject, because, although another year had elapsed, he was given to understand, that the noble Lord could give no other answer than that which he made to the question formerly put to him, namely, —that the country had not yet received any benefit from King Leopold's renunciation of his pension. It was not his intention to discuss the question of the right of King Leopold to retain the annuity after he quitted this country, and became the sovereign of an independent state; it was, indeed, unnecessary to do so, because King Leopold had, with some reservations, voluntarily abandoned the annuity. It was, however, his decided conviction, that King Leopold could not as an honourable man, according to the honest construction of the Act of Parliament, continue to receive the annuity after he ceased, by accepting the Belgic crown, to owe allegiance to the Crown of Great Britain. He might be told, that the Act simply declared, that Prince Leopold should be entitled to receive 50,000*l.* a-year during his natural life, without attaching any condition to the grant; but he (Mr. Robinson) contended, that the settlement on his Royal Highness was accompanied by another Act,—an Act of naturalization, by which he was obliged, on the occasion of his marriage with the Princess Charlotte, to take the oath of allegiance to the Sovereign of this country. It would be monstrous to contend, that King Leopold could retain his 50,000*l.* a-year after he had ceased to owe allegiance to the King of Great Britain, and had become sovereign of an independent state, having separate, and, it might be, adverse, interests with reference to this country. The right hon. member for Tamworth, and a noble Duke in another place, passed the highest eulogiums on Prince Leopold upon the occasion of his renouncing his annuity; but when those praises were bestowed upon his Royal Highness, was it contemplated that three years should elapse before the country derived any benefit from the transaction? Under existing circumstances, he thought that the House and the country had a right to know what had been done with the money since Prince Leopold left the country. At present, the House had no security that the money had ever been appropriated in the manner suggested by King Leopold. When the Prince Regent sent a message to that House, respecting a settlement for his daughter and the prince of Saxe Coburg, the House consented to grant a sum of 60,000*l.* for the royal couple, with a reversion of 50,000*l.* a-year to the prince, in the event of his surviving the Princess Charlotte. So anxious was the country for the marriage of the Princess, that the Bill for the pecuniary arrangement passed through Parliament almost without observation. The noble Lord, who was then Prime Minister, admitted, that the provision was most liberal; and observed, that it would prevent the parties from involving themselves in those embarrassments which had fallen upon other members of the Royal Family. The present Lord Chancellor said, that he had some misgivings as to the reversion of 50,000*l.* to Prince Leopold, in the event of his surviving the Princess, but consented to waive his scruples, because he thought it might be painful to the Prince to descend from the elevated rank to which he had been raised by his marriage.* Reverting to the immediate subject of his Motion, he wished to ask the Government, if they had paid the 50,000*l.* per annum since Prince Leopold ascended the Belgian throne, and if they had paid it, to whom it was paid. He would, however, read the letter which king Leopold wrote to Earl Grey, on the 15th of July, 1831, and which was read in the House of Commons by the Chancellor of the Exchequer, from which the House would see whether, or not, it had a right to expect any repayment. The letter was as follows:—

Marlborough-house, July 15.

My dear Lord Grey,—Before I quit the country, I am desirous to state, in writing, the intentions and views which I had the pleasure of communicating to you verbally this morning, on the subject of my British annuity.

As sovereign of Belgium, it is not my intention to draw from this country any portion of the income which was settled upon me by Act of Parliament, at the period of my marriage. Your Lordship is, however, well aware, that, up to the very moment of my leaving England, I have maintained my establishments here upon their accustomed footing and that, consequently, there remain to be fulfilled and discharged pecuniary engagements, and outstanding debts, to an amount which it is quite impossible for me to state at the present time with precision. As soon, therefore, as I shall have accomplished the payment of these demands, it is my intention to make over into the hands of trustees, whom I will, without loss of time, appoint, the whole of the annuity which I receive from this country, in trust, for the following purposes:—

I shall require my trustees to maintain, in a state of complete habitation and of repair, the house, gardens, and park, at Claremont: and further, to pay all the salaries, pensions, and allowances, which I shall deem a proper reward to those persons who have claims upon me for their faithful services, during my residence in this country. I shall, in addition, require them to continue all those charities, and annual donations to charitable institutions, which have been allowed, or subscribed to, either by the Princess Charlotte or by myself, up to the present period.

All these objects having been fulfilled, it is my wish and desire, that the remainder shall be repaid into the British Exchequer. I remain, my dear Lord Grey, most faithfully yours, LEOPOLD.

On the very day that letter was read in the House, he had come down, determined to put a question to the Chancellor of the Exchequer, respecting the annuity of the Prince; but he was prevented from doing so by the most agreeable announcement of the letter to which he had just referred. He was glad it was so, for he certainly preferred the resignation of the pension as an act of grace, to its resignation as an act of compulsion. Carried away, he would frankly admit, by the heat of the moment, he joined in the general eulogium upon the Prince; but he should now also say, that, since then, his opinion had very materially changed. He did not at all mean to charge the Prince with a breach of faith. For the Prince personally he (Mr. Robinson) felt much respect; and for those connected with him, more particularly for one individual, he entertained the sincerest respect. He felt it was due to the Prince himself, after what had been stated in the public papers, and after what had been reported abroad, that the noble Lord should state if any of the pension had been paid, and, if so, to whom, since the Prince left this country. As to the conditions mentioned in the letter of the Prince, to which he had referred, no one could object to that, and which regarded the charitable bequests made either by the Prince or his Royal Consort; but as to the maintenance of servants, the Prince might have taken them with him to Belgium, and there provided for them, if he were so much attached to them. The Prince required, that Claremont and Marlborough House should be kept in "habitable repair," and the parks and gardens in proper order. But he should like to know, what was meant by habitable repair. For aught he knew, the keeping of these places might swallow up the entire pension. He should be also glad to know, who it was who was intrusted with the payment of the annuity? With respect to the "right" of Prince Leopold to receive the annuity, the hon. Member said, that some persons might, perhaps, be of opinion, that, though the strict letter of the Act of Parliament did not warrant its payment, yet it was in the "spirit" of the Act that it should be paid. Such was the argument by which the payment of the Russian-Dutch Loan was justified; but he trusted, on whatever ground the payment of the Prince's annuity might be defended, it would not be upon that. He would, however, have the House to understand, that he did not mean to attribute blame to any person. He was a great advocate for candour; and he expected to hear something respecting Prince Leopold's annuity—whether, or not, it had been paid, and to whom, and what guarantee the Government had for the appropriation of the money? Was the House to believe, that the Prince had contracted debts to the amount of 50,000*l.*, or even to twice that amount?—for it was now three years since his annuity became payable into the Exchequer. For his part, he did not believe, that the Prince had contracted any such amount of debts; and the general impression respecting him was, that he was of rather parsimonious habits. He understood, that the debts which were to be paid, were merely those contracted during the current quarter, or half year, in which he had resigned his pension. When people spoke of generosity, let it be borne in mind, that the generous British nation had paid the Prince no less a sum than a million of money. He would say nothing of the situation of the Prince before he came to this country. He became the husband of the most cherished of England's Princesses; and, if for no other reason, enjoyed the respect of Englishmen. But there was, certainly, under the circumstances of the case, nothing of generosity in his having relinquished his 50,000*l.* a-year. He thought he had laid before the House sufficient grounds to induce them to acquiesce in his Motion; and would add nothing further, but conclude by moving it, as he had already read it to the House.

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* See Hansard, vol. xxxiii. p. 381.

Mr. *Hall* seconded the Motion, and expressed a hope, that, if the answer of Ministers should be unsatisfactory, the hon. member for Worcester would follow up his Motion by another; and if not, he would himself bring the subject before the House.

Lord *Althorp* said, that he did not intend to object to the Motion; but, at the same time, after what had passed, it was necessary that he should offer a few observations to the House. The hon. Member had said, that Prince Leopold was supposed, during his residence in this country, to have been a man careful of his money; but the hon. Member must be aware, that, without being guilty of extravagance, his Royal Highness might, from the circumstance of making a purchase, or from other causes, have exceeded his income. The amount of Prince Leopold's incumbrances was not known at the time he wrote the letter to Earl Grey; and, in consequence of that circumstance, the persons whom he had nominated as trustees, refused to act; and, up to the present time, there were, in fact, no acting trustees. Previous to the meeting of Parliament, two letters on this subject had been addressed to him by Baron de Stockmar, the private Secretary to the king of the Belgians. These letters were dated the 2nd of February, and were as follow :—

Marlborough House, February 2.

My Lord,—I am commanded by his Majesty the King of the Belgians, to inform your Lordship, that the pecuniary engagements and outstanding debts of his Majesty, in this country, are nearly liquidated, and will be entirely so on the 5th of April next; that, after paying the sum yet remaining to be discharged out of the April quarter, and providing for the necessary expenditure until the ensuing quarter becomes payable, according to his Majesty's communication to Earl Grey, previous to his quitting this country, there will be a large surplus, which will be paid into the Exchequer in the course of the month of April.

It has been already communicated to your Lordship, that, in August, 1832, his Majesty was anxious to place the income under the control of the trustees, but that they declined beginning to act in the trust until his Majesty's private affairs in this country had been entirely settled.

As the sum remaining to be liquidated can be now ascertained, it is my intention to address his Majesty's trustees, to induce them immediately to enter upon the trust; but should they decline to do so, until all the incumbrances are discharged,—that is to say, until after the 5th of April next, your Lordship may be assured, that the first payment into the Exchequer will be made in April next; and from that period no impediment will exist to the trustees commencing their trust.—I have the honour to subscribe myself, my Lord, your obedient and humble servant,

Baron de Stockmar,
Controller and Private Secretary.
To the Right Hon. Viscount Althorp, &c.

Marlborough House, Feb. 2.

My Lord.—In addition to the letters which I have had the honour of addressing to your Lordship this day, I think it proper to direct your attention to the circumstance, that the amount of his Majesty the king of the Belgians pecuniary engagements and outstanding debts, due at the time of his quitting this country, could not, as his Majesty then stated to Earl Grey, be ascertained with precision. They have been found to amount to nearly 83,000*l.* The current expenses of Claremont, Marlborough House, and the other payments referred to in his Majesty's letter to Earl Grey, amount to nearly 20,000*l.* per annum, which two items will account for the application of all the sums accruing from his Majesty's annuity, since his departure from this country. With regard to the annual payments last noticed, they will, in future, be met under the trust treated by his Majesty; and will be reduced in amount at the expiration of the lease of Marlborough House, in 1835, and by other contingencies, such as the death of annuitants, and the probable diminution in the expenditure for repairs.

How far this communication may be considered requisite on my part, according to the spirit of the letter under which his Majesty's income in this country has been, and is to be, appropriated, I submit entirely to your Lordship's better judgment; and I have the honour to subscribe myself, your Lordship's most obedient humble servant,

Baron de Stockmar.
To the Right Hon. the Viscount Althorp, &c.

These letters contained all the information he could then communicate to the House. He would, however, take that opportunity of noticing an observation of the hon. Member, because it was one which, if left uncontradicted, might excite a very erroneous impression, and lead to a false estimate of the character of his royal highness. The hon. Gentleman intimated, that there was a report current—and he would not take upon himself to say, that the remark was not made elsewhere—that some of the annuity went abroad for private purposes, and that his Majesty drew from this country the means of paying his servants in a foreign country. He would distinctly state that such reports were unfounded—that there was not the slightest colour for them. Not one farthing, he was sure, was sent out of the country. It should be borne in mind that the right of Prince Leopold was established by Act of Parliament, that the annuity was his legal property, and that he could dispose of it as he liked; and his resigning it for the purposes which he specified was an act that, so far from deserving severe scrutiny, deserved praise. He was sure his late Majesty would scout the idea that the annuity should be made contingent on the life of the princess; and he was also sure that such a notion was not entertained by the Parliament that sanctioned the grant. He did not see, then, what fair grounds any one could have for attempting to take it away; and it was a proposition, he hoped, that would not be entertained by the House. The conduct of Prince Leopold was on all occasions highly respectable, and on this commendable. It was a natural feeling for him to keep the house in which he resided with the princess in this country. The repairs of it he was bound to pay for, and the expenses consequent on this must be considerable. Was it not, then, he would ask, a good feeling that would appropriate to this object a part of the annuity; and was it not an act of justice to leave him the means? The expenses would in a short time be considerably diminished. The lease of Marlborough House would expire soon, and that would be one considerable deduction from the expenditure. It was the duty of the prince to discharge the incumbrances that he had necessarily contracted in this country, and also to pay the annuities he had engaged to pay; and he could not imagine that the House would deprive him of the means of appropriating his annuity to such purposes. In April next a considerable sum would be paid into the Exchequer, and the trustees promised to act when that was done.

Mr. *Cobbett* rose: The noble Lord said he hoped the House would not entertain the proposition of taking away the annuity, and said that it was secured to the Prince by law. If there was a law for giving him 50,000*l.* a year out of the pockets of the English people, there was (and he hoped the House would consider the fact) another law which prevented any one who was not a natural-born subject, or who was not naturalized, from receiving a pension from the country. Oh! but it was said that he was, on his getting the pension, made a denizen, that he became naturalized, and took an oath of allegiance. Granted that it was at one time so, could it be maintained that he was now a subject of the King of England? His allegiance was gone. He was no longer a subject, and the law absolutely prevented him from receiving his pension. It was such a law that gave the King of England his throne. The same principle which gave the one a right to the possession of his crown, took away his pension from the other. The interest of the King of the Belgians was different from that of the King of England. He owed him no allegiance. If there were a war between the two countries to-morrow, could it be said that the King of Belgium was a subject of the King of England, and should not go to war with him? Could Leopold go to war with his own sovereign? As he was no subject, then, he was not entitled, in law or justice, to his pension. And how stood the case as to equity? Prince Leopold had become a sovereign; he owed no allegiance whatever to this country; and how, therefore, could it be said, that this country ought to pay to him a large sum annually for his support? That was one way, but not the only one, of looking at the matter. They were everlastingly hearing of the encroachment and extreme onerousness of the Poor-rates. It was said, that the Poor-rates would eat up all the property of the country. Why, the half of the Poor-rates of a county, on an average, did not exceed in amount this pension, which was to be paid to a foreign Sovereign, and had been granted to him at a period when, and because, he became a subject of this realm. In fact, this pension was more in amount than the whole of the Poor-rates for the county of Huntingdon; and equal to double the amount of the Poor-rates for the county of Westmorland. It was monstrous, therefore, to talk of continuing to pay this pension, and yet to complain so bitterly as to the pressure of the Poor-rates. It would be some relief, certainly, to cut down this pension, as proposed in effect by the noble Lord, some 20,000*l.*, or 30,000*l.* a-year; but that mode of proceeding would not be, in his opinion, sufficient; it would not be going far enough. Why should it not be abolished altogether? Oh! it was said, there was a house to be kept in repair. He asked for whom? It could not be that that house was to be kept in repair for a foreign king. Such a notion was out of the question, and therefore, he said, if there was a house that required keeping in repair, let the repairs be paid for out of the rent. Another point of view in which the matter ought to be considered was this:—The pension, at the present moment, amounted in reality to nearly twice as much as the Parliament which granted it had ever contemplated. That, in his consideration, looking at the equity view of the case, was a very important point. Then came the peculiarity of the time at which they were called upon to continue the payment of this immense pension. From one end of the country to the other, there were cries of distress; and the people required a reduction of taxation. The Ministers themselves, in the King's Speech, vouched for the distress of the agriculturists; and the noble Lord, when he was asked to relieve the farmer of the tax imposed on him for keeping a boy or a man who put a saddle on his horse, shook his head, and said, the exigences of the public would not justify the relief, however desirable; and it was most desirable. Indeed, the oppressive and vexatious character of that tax could not be appreciated except by those who were practically familiar with a farmer's life. And yet the whole amount produced by that tax, was not equal to that of this pension. Then abolish the pension, and the tax might be abolished too; and so some relief would be afforded to a class of the community now struggling with fearful difficulties. Surely, no person would longer contend, that this pension ought to be paid. He saw no ground for such a waste of public money; and he felt very much inclined to move an Amendment to that effect. He would not do so; but the Reformed House of Commons would not do its duty by its constituents, if it did not take measures to discontinue a payment that was not required or justified either by law or equity. Indeed so completely made up was his mind, that he hoped some hon. Member would move an Amendment to the effect he had stated, and it should have his support.

Colonel *Evans* hoped, that, in offering a few remarks, it would not be supposed that he meant the slightest disrespect to the king of Belgium, because he would say, that as far as he knew of his Majesty's public character, he was entitled to the highest respect. The noble Lord, the Chancellor of the Exchequer, had stated, that this pension was granted by Act of Parliament. But he (Colonel Evans) believed, that this was an unprecedented case, for it was that of a foreign Sovereign receiving a pension from this country. He should, therefore, think, that if a new Act of Parliament were framed (as in the instance of the payment to Russia, in the case of the Russian-Belgic loan) the subject should be submitted to the opinion of the Crown lawyers with a view to know from them, whether, by the existing law of England, there was any such person as the Prince Leopold? He merely threw out this suggestion, because he thought it was a fair question to be raised, whether it was lawful to issue the money under the circumstances. Now, in respect to certain Hanoverians; who were pensioned by this country, he thought that there was a wide difference in their situation from that of many French officers who were still receiving pensions from England. Looking to the fact, that in the latter case many of the French officers were now employed by the king of the French, it might be subject for future discussion, whether their pensions should be continued any longer.

Sir *Samuel Whalley* observed, that he had already given notice of a motion on this subject to appoint a Select Committee to inquire into the application of this annuity of 50,000*l*., graciously restored to the people of England by the king of the Belgians; for, as it had been in effect surrendered to the country, the people ought to know what was the extent of the claims upon it. He was glad to learn from what had been said, that a large portion of the annuity, would at length go into the public Exchequer; but still he did not think that he ought to give up his Motion; and he would therefore move it as an Amendment to that then before the House. The noble Lord (Lord Althorp) had said, that the House of Commons would not, at the time of making the grant, have listened to any attempt to take it away on any contingency; but he would beg to ask whether, if such a contingency as that which had since happened, of Prince Leopold becoming the king of the Belgians, had, at that time, been anticipated, the House of Commons would not have limited the duration of the pension to the occurrence of that event; and if that would have been done, then, could there be any injustice in seeking the discontinuance of the pension, as that event had occurred? In the letter of Prince Leopold to Earl Grey, in 1831, his Royal Highness expressed his intention of retaining the annuity in his own hands, until all demands on it were paid off. But what demands could there have been on the annuity of his Royal Highness? It was well known, that the Prince had lived in that state, and had managed his income in that way which the natives of Scotland would call prudent; but according to the letters just read by the noble Lord, it would appear that, at the time of his leaving this country, his Royal Highness was much involved in debt, and that if he had not been raised to the throne of Belgium, he would, supposing that the debt were to go on at the same rate, be very deeply involved; thus adding another instance to that of a late Royal Duke, whose creditors had been defrauded of their just claims, by which a sort of stain was cast on the character of the whole Royal Family. The noble Earl, who had so warmly eulogized the conduct of the king of the Belgians, ought to see that the public should have the full benefit of his grant. He would now beg to move, as an Amendment to the Motion of the hon. member for Worcester, the substitution of the words of his Motion of which he had given notice for the 27th of March.

The *Speaker:* If I understand the hon. Member, it is his intention to substitute the words of his notice of Motion for the 27th of March for those of the Motion now before the House?

Sir *Samuel Whalley* answered in the affirmative.

The *Speaker:* I apprehend, that, according to the rules of the House, the hon. Member cannot bring forward his Motion before the time fixed by his notice; he cannot, therefore, bring that forward as an Amendment which he could not submit as an original Motion.

Mr. *Hume* had great doubts as to whether any person not a subject of the British Crown, was entitled to receive a pension from this country. The House, at the time the pension was originally granted, could never have entertained the remotest conception of the possibility of the contingency which had since then arisen. The House, therefore, in his (Mr. Hume's) opinion, ought most certainly to reconsider what had then been done. This would be only doing justice to all parties concerned in the matter.

Lord *John Russell* did not rise for the purpose of taking any part in the discussion; but merely to say, that if doubts were entertained as to the legality of continuing to pay the pension, the hon. member for Middlesex would have an opportunity of raising the question on a future occasion. Although no direct charge had been made against the character of the king of Belgium, so much had been said on the subject of his expenditure, in the way of sneers and insinuations, that he (Lord John Russell) thought it necessary to say, that when he had relinquished his claim for 30,000*l.* out of the 50,000*l.*, granted him by Parliament, it was unfair to refuse him the remaining 20,000*l.* He was sure, that when a regular Motion was made to withdraw this part of Prince Leopold's pension, the House would refuse to accede to it, and would take that opportunity of expressing its approbation of his honourable proceeding.

Mr. *Gillon* was much surprised to learn from the statement which had that evening been made by the Chancellor of the Exchequer, that the debts of the king of Belgium should amount to so large a sum, and he was sure the statement would excite great dissatisfaction in the country. He hoped, that when the matter came regularly before the House for its consideration, the question would then be decided, whether or not the pension to Prince Leopold should continue to be paid by this country.

Mr. *Robinson* could not omit taking that opportunity of saying, that the answer of the Chancellor of the Exchequer was anything but satisfactory. He should like to know who were the parties responsible for the 135,000*l.* which had been expended in the manner pointed out. The noble Lord had said, that any proposition, if made, to deprive Prince Leopold of his pension, would be scouted by the House. He must admit, that many things were scouted by that House which were nevertheless just and proper in themselves. But, were they to be told, that such a proposition as that he had referred to, would, if made, be scouted by the House. He would ask hon. Members, whether, if such a circumstance, as the elevation of Prince Leopold to the throne of Belgium had been anticipated at the time the pension was originally granted, such a grant would ever have been made with the intention of its being continued after such elevation had taken place? A proposition to discontinue that pension when Prince Leopold was raised to the Belgian throne, had that elevation been foreseen, would never have been scouted by the House. If the country should be satisfied with the answer given by the noble Lord, he was not satisfied, and he hoped the question would soon be taken up by the House. Before sitting down, he must take the opportunity of saying, that as the trustees had refused to act, others ought to be appointed in their place, with security that the money should be duly appropriated to its destined purposes. The money might all have been pocketed. He begged, in conclusion, to disclaim all intention of using any unbecoming expression towards the king of Belgium in the remarks he had thought it his duty to make.

Mr. *Hardy* was inclined to doubt, whether, according to the wording of the Act of Parliament, the annuity was payable after Prince Leopold became the Sovereign of a foreign State, in which he resided. By the first clause of the Act, the sum of 60,000*l.* a-year was settled on the Prince and Princess, but it was clear that that was intended to be given only while they remained in England. By the 2nd clause of the Act, the sum of 50,000*l.* a-year, which was part of the former sum, was to be continued to the Prince, but he presumed, not on terms different from those of the previous clause.

The Motion was agreed to.

Election Expenses.] Mr. *Hume* rose, to move to refer to a Select Committee, the Return of Expenses charged by Returning Officers at the Election of Members for Counties and Boroughs in England and Wales, at the last General Election, with the view of fixing an uniform rate of charge at every Election, and of considering by whom the charges should be paid. One of the great objects of the Reform Bill was to limit the expenses of elections, and for that purpose many propositions were made at the discussion on the Bill. The 71st clause of the Reform Act related to the subject; but it was not sufficiently explicit. He was, therefore, desirous to have the matter referred to a Committee; and he was the more desirous to see that course pursued, as the Returns were imperfect, and required amendment. His own opinion with respect to election expenses, had been, and was, that the candidate ought to pay nothing; that the county ought to bear the burthen; for a Member ought to be elected for the good of the constituents electing him, and not for his own interest, and therefore the public ought to bear the expense. And that feeling was in accordance with the old principle of election, which threw the charges of the election, and even the support of the elected on the electors. That some uniform charge ought to be adopted appeared to him to be quite evident. In his own case he knew that the Sheriff construed the law as to what were legal expenses differently from what some other Sheriffs did, and, therefore, it was plain the law required fixing. By the Returns which he wished to be referred to a Committee, it appeared, that the actual constituency had fallen greatly short of the number anticipated at the period of the passing of the Reform Bill. It appeared, that in the 128 counties in England and Wales, there were registered 317,594 electors, and that in the 255 boroughs there were 274,620; making a total of 592,214 registered electors. That, however, was not the actual number of voters. He, himself, knew of several instances in which an elector was registered in two or even three places; so that when the list was reduced, it would probably be found, that in all England and Wales, there were not more than 500,000 voters, whereas, at the period of the Reform Bill, it was confidently anticipated, that the number would be above 1,000,000. The Returns, too, were imperfect. From Marlborough, although the Returning Officer had received four letters, there had been no communication; and it would be the duty of the Committee to investigate the cause, and to remedy that neglect. Again, there had been no Return from Oxford or Cambridge Universities, on the plea that they did not come under the term "place." He had thought they did, but the matter would be easily rectified by a Committee. From the Returns, it appeared, that the aggregate expense of candidates for counties, amounted to 21,937*l.*, and that of candidates for boroughs to 21,624*l.*; giving a general aggregate expense of 43,561*l.* These were the legal charges under the 41st section of the Reform Bill. Some of the boroughs had made no Returns, though called on to do so more than once; and it would be necessary to have some of the Returning Officers called to the Bar of the House to answer for their neglect. But it appeared to him that many of the Returns were quite evasive, and, to correct this, he moved for Returns of additional expenses. The whole were so irregular and inconsistent, that it was impossible the House should allow another general election, or even one single election, to come on, before they took some step to define what the expenses ought to be. In some of the counties the Returns were greatly deficient. There was also a great difference in the amount of the legal charges by the Returning Officers. Thus, in the district of Lindsey, in Lincolnshire, where the voters were 9,134, and where there were three candidates, the expenses charged by the Returning Officer, amounted to 1,065*l.* In the northern division of Lancashire, the voters were 10,000, and the expenses were 546*l.* In one division of Surrey, the expenses were only 187*l.* In Berkshire there were three Members, four candidates, the voters exceeded 5,500, and the expenses were 752*l.* In West Norfolk, there were no expenses charged. In Brecon, only 20*l.* In Cardigan, with 1,154 voters, the expenses were 292*l.* In the boroughs, again, the same fact of extravagance, and disparity, was also illustrated. In the borough of Abingdon, with 300 electors, and three candidates, there was no charge at all. In Buckingham, with the same number of electors, and the same number of candidates, the expense was 33*l.* In Bristol, the electors were 10,000, the candidates four, and the expense 874*l.* In Finsbury, where the electors were 10,309, and the candidates five, the expense amounted to 484*l.* In the City of London, with a constituency of 18,584, and six candidates, the expense amounted to 522*l.* In Westminster, with its 11,576, and three candidates, the expense was 362*l.* In Plymouth, where there was no contest, the expense incurred was 130*l.* In another borough, where there was no contest, the expense was 109*l.*; while, in Andover, Cardigan, Dartmouth, Ludlow, and another borough, there was no expense at all. He must again express a hope, that the House would compel those places that had not complied with its orders, to make the desired Retnrns of the expenses incurred in the way referred to at the last election, to do so forthwith. Another point worthy of consideration, was the way in which these expenses were incurred. There were Sheriffs, Under Sheriffs, Clerks, &c., all of whom made charges on the different candidates for their labours on the occasion of an election. The charges made by Under Sheriffs, were often very great. He (Mr. Hume) questioned very much, whether they should be allowed to make any charge at all. They were appointed for the performance of duties connected with their several counties; and that of attending at elections, and regulating their proceedings, he conceived, was one. Assessors were, in some instances, allowed large sums, and Constables, or Policemen, were paid for keeping the peace. In the county of Cardigan, the Sheriffs actually charged the candidates 20*l.* for silver thrown among the people. In Bedford, all the irregularities he had mentioned had occurred; they were all contrary to law. The 71st section of the Reform Act limited the expense of elections in each parish to 23*l.* The Sheriff was to be allowed 2*l.* 2*s.* per day for his labours, and the Clerk 1*l.* 1*s.* The enormous expenses which had been charged against candidates in certain cases, were claimed by the Returning Officers on the ground of some previous Act of Parliament, just as if all former Acts of Parliament were not, in the question of electioneering expenses, set aside by the Reform Act. He trusted, that, under the circumstances he had stated, the House would consent to the appointment of a Committee on the subject. It was highly desirable, that every man who became a candidate, should know, in the first instance, the extent of his liabilities; and that he might not, consequently, be imposed upon by other persons after the election was over. The expense attending elections, must, it was clear, be at all events reduced. It was not necessary, for example, to have new booths at every successive election, for they could be made at the present expense to last a lifetime. Let the House only decree, that the different counties ought to be at the expense of fitting up these booths and the other things necessary at elections, and there would be no unnecessary expenditure in such cases in future. In Middlesex alone, the booths had cost the candidates 600*l.* He hoped the few hints he had thrown out to the House would not be lost on hon. Members, but be committed to memory, against the time for formally deliberating on the subject. The hon. Member concluded by moving, "That the House refer to a Select Committee, the Returns of Expenses charged by Returning Officers at the Election of Members for Counties and Boroughs in England and Wales, and in Scotland and Ireland, at the last General Election, with the view of fixing a uniform rate of charge; and also to inquire into all other Expenses attendant on the Registration of Votes, and at the Elections."

Sir *Samuel Whalley* seconded the Motion. A great many individuals, well fitted, both by their talents and integrity, for a seat in that House, would come forward as candidates, if the expenses at elections were fixed and limited. He most cordially agreed with the hon. member for Middlesex, that the expenses of elections should be defrayed by the country at large. The conclusion among the people, or, at least, among a large portion of the people, was, that when Members paid such large sums, in the shape of election expenses, for a seat in that House, they would take care of themselves when the public money was voted away. They thought that hon. Members would not scruple to appropriate part of that money to their own purpose. It was expected that the 71st Section of the Reform Act would have limited the expenses of elections; but the Returns, which the hon. member for Middlesex had read to the House, showed, that the provisions of that Bill were quite inefficient for keeping such expenses within their proper limits. The expenses attending elections was a question of paramount importance to the country at large. His only regret was, that, instead of moving for a Select Committee to examine the expenses charged by Returning Officers at the last General Election, he did not at once move for leave to bring in a Bill on the subject.

Colonel *Evans* would mention, as an instance of the imposition to which persons seeking to be returned to that House were subjected, that, at a recent election, where there were three candidates, letters were received from the Returning Officer some time before the day of nomination, calling on each of them to pay a sum of 200*l.* for expenses, on an understanding that if there was any surplus after they were defrayed, it should be handed over. This demand was at first refused, but subsequently complied with. Some days after the election the Returning Officer sent in a bill of 160*l.* to each of the candidates, accompanied by a memorandum, in which he stated that he expected a present of 20*l.* for himself, 10*l.* for one deputy, 5*l.* for another, and so on until the whole surplus of 40*l.* was swallowed up. The bill was disputed by the Committee, who succeeded not only in having it reduced by 30*l.* or 40*l.*, but refused making any presents whatever. Shortly after another election took place, and a similar demand for 200*l.* was made. At first the Committee, having reason to believe the demand was illegal, altogether refused compliance, but the Returning Officer stating, that if they did not, he would run up his bill for expenses much beyond it, they became alarmed, and lodged the money. He stated that circumstance to show the necessity of some specific enactment to settle the amount of those election expenses, and thus prevent a recurrence of that annoyance of which so many Members had reason to complain. The Motion of the hon. member for Middlesex met his views, and he had great pleasure in supporting it.

Lord *John Russell* expressed his satisfaction at the hon. member for Middlesex directing his attention to the present subject, and, on the part of Government, promised no assistance should be withheld which could, in anywise, facilitate the object he had in view. He could not, however, agree with him in thinking that the expenses of candidates ought to be defrayed by the country, because he was convinced such an alteration in the existing system would lead to innumerable vexatious contests. Had such a law, for instance, been in force, there would have been no lack of candidates for the representation of the county of Somerset, although it was improbable a return different from that which had been made would have occurred. Before he sat down, he could not avoid observing, that the demand made by the Returning Officer at the election to which the hon. and gallant member for Westminster referred, was, in every sense, illegal, and the successful Member, whosoever he might be, would only be doing his duty to the public if he brought the party to the bar of the House to answer for his conduct.

Mr. *Harvey* hoped his hon. friend would so frame his Motion that it should become part of the business of the Committee to inquire, whether, both in counties and boroughs, but especially in the latter, the poll might not be taken in one day. For his part, he thought it would be very practicable, in all cases, to take the poll within a day; and it was therefore his intention, when the House came to consider the cases of those boroughs about to undergo revision, to move a clause to that effect.

Lord *John Russell* would not pledge himself to support such a motion, should it be made; but he did not hesitate to say the alteration to which it referred was most feasible. During the discussion upon the Reform Bill he had more than once stated his intention to be, that the poll should terminate within twenty-four hours, and he had only extended the period to forty-eight hours, in compliance with the suggestions of some hon. Members, who feared that, at the outset, one day would not be sufficient.

Mr. *Rigby Wason* was confident one day would be sufficient to take the poll whether in a county or a borough, and therefore urged the hon. Member so to frame his motion as to bring the subject under the consideration of the Committee.

Lord *Althorp* thought it was a fair question whether the suggested alteration might not hereafter be carried into effect, but it could not properly come within the scope of the inquiry which it was proposed the present Committee should institute.

Mr. *Hume* differed from the Noble Lord, for he thought the subject would fairly come before the Committee as a matter of expense to the candidate. He would not, however, make any alteration in the terms of his Motion with a view of bringing it within the inquiry more immediately than as a matter of expense.

Mr. *Harvey* was sure, that if the Committee looked upon the subject in the light of the expense it caused candidates, they would, without hesitation, recommend the alteration he suggested. He could adduce many instances in which large bodies of electors purposely avoided voting on the first day of polling, in the hope that, if in the exercise of that Scotch art, called prudence, they held back until the second, they might be able, not only to boast of having turned the election in favour of a particular candidate, but to turn something substantial into their own pockets.

The Motion was agreed to, and the Committee appointed.

THE MEDICAL PROFESSION.] Mr. *Warburton* rose, in pursuance of the notice he had given, to move for a Select Committee, to inquire into the various branches of the medical profession. He would content himself by simply stating a few of the grounds on which, in his opinion, it now became imperative for the House, in the exercise of their legislative capacity, to interfere, and accommodate, if possible, the dissensions well known to exist among the several branches of the profession. The by-laws of the College of Physicians had been long the cause of variance between the Licentiates and the Fellows of that body. The House would recollect, that in the last year a Bill had been brought in to alter the laws respecting the Apothecaries' Company, and that Petitions praying for alterations were poured in from Edinburgh, Glasgow, Aberdeen, and other towns of Scotland. No complaints had been made against that Bill, except on the ground, that it did not carry alterations far enough. The laws, as they now stood, were subject to general and well-founded complaints; he would not, however, detain the House, but content himself with moving, "That a Select Committee be appointed, to inquire into the laws and regulations, regarding the education and practice of the various branches of the medical profession, in the United Kingdom."

Colonel *Wood* felt great objections to the appointment of a Committee; and although a Bill had been brought into the House last Session, to alter the Apothecaries' Act, it was to be remembered, that it was the production of the hon. Member himself who made the present Motion. The present law did not prevent men educated in Scotland or Ireland, from passing examinations in England; after which, they were at liberty to set up as practitioners in any part of the United Kingdom. The Colleges of Surgeons and of Physicians were regulated by Royal Charters; and he did not see how they were to be violated. The last Apothecaries' Act was passed in 1815, and he deemed it to be the poor man's protection. The rich could always procure the best of medical aid, but the poor man must put up with whoever the parish might provide for him; and if the law had not enforced a strict education, and rigid examination of medical students, incompetent persons would be introduced into the profession, and parishes would take the cheapest practitioners for the service of the poor. The Act of 1815 was, therefore, the poor man's protection, and he should be very sorry to see it altered. The Committee would lead to a very wide inquiry, and, in his opinion, would only waste the public time, and produce no beneficial results.

Mr. *Gillon* would vote for the appointment of the Committee. He complained that the Apothecaries' Act, as it now stood, prevented the Licentiates of Scotland and Ireland practising in the Sister Kingdom. They had to undergo a five years' apprenticeship to learn what they already knew; and, in fact, the Act operated only as a most injurious monopoly. At a period when Government was putting an end to all monopolies, it was singular, that the monopoly of mind alone should remain. The monopoly of the Apothecaries' Company was injurious to the country at large, and particularly so to the teachers of the medical art. He had heard complaints against the law from every part of the kingdom.

Mr. *Littleton* could assure the House, that the investigation would be popular in Ireland. He had discoursed with many professional persons upon the subject in Dublin, and there was not one that did not acquiesce in the propriety of some arrangements, by which the privileges of the profession in the two kingdoms would be equalized.

Mr. *O'Dwyer* hoped the House would permit him to say, that the medical and surgical profession in Ireland, especially the latter, had arrived at that eminence and perfection, as to make it most expedient to guard against any ill-advised interference with the regulation of these bodies. The School of Surgery of Ireland, held at this moment the highest reputation for practical science, and, from what he knew and had heard, he would undertake to say, that any alteration with it would be most detrimental. He would say, however, with respect to the Apothecaries' Company of Ireland, that it much required investigation. A body such as that, which controlled and directed that branch of the profession, should be open to the competition of talent, and should be exclusively professional in its duties and objects. The Apothecaries' Company, however, had not objects exclusively professional; it was a trading company; and the qualification for its most important offices depended on the amount of capital invested in the stock of the Company that the candidate was so lucky as to possess. He was sure the House would agree, that the honors and offices of this body should be entirely open to competition. He had lately been informed, that this company had instituted proceedings against physicians regularly educated, and treated them as if they were ignorant practitioners, for having compounded medicines. He was of opinion, that a person authorised to prescribe medicine should know how to compound it; and he would, therefore, support any proposition to overthrow this monopoly; at the same time that he would take care to guard against incapacity, by establishing an examination in pharmacy, before a court properly constituted. He was of opinion, too, that the monopoly of the College of Physicians of London should be destroyed. He thought that there could be no reason why a physician of the universities of these countries, or of the schools of the Continent, whose works enriched the science of medicine, and who were the founders of the most important discoveries, should be excluded from the reward of their talents, by an ungenerous and selfish monopoly. At all events, he hoped the Committee would endeavour to elevate every branch of the profession, by arranging an even system of medical education, founded upon that model of severe study, and intense practical application, which, he was proud to say, had gained for the Irish colleges the high reputation they enjoyed.

Mr. *Hume* said, that he thought it highly absurd, that surgeons who had passed through severe examinations were not allowed to dispense medicines in this country. He had himself gone through all his examinations, yet he dared not compound medicines for sale, though he considered himself as capable to do so as any apothecary in the land. It was highly necessary that surgeons should possess the power of dispensing drugs; for, in small country towns, the medical practitioner was generally physician, surgeon, and apothecary, at once. He should like to see the examination of medical men conducted in open Court, as was the practice on the Continent; but he was sorry to say, that with respect to medical science, this country was in a state of barbarism as compared with France. He should vote for the proposed inquiry.

Mr. *Warburton* said, that at present, the certificate of qualification, from the College of Surgeons, or from the Apothecaries' Company, was not always sufficient for practice, even in England, for the army and navy Medical Boards instituted strict inquiries into the acquirements of all gentlemen, before they were allowed to receive commissions. The same caution was exercised by the East India Company. The Commissioners of Inquiry into the Scotch Universities had complained, that men of medical science, as physicians, should be compelled to undergo five years' service, merely to learn the menial duties of the Apothecaries' shop. He did not complain of the Apothecaries' Company. The members of it had endeavoured to raise the standard of medical science and reputation; and had done all that men could do, under the difficult circumstances in which they were placed.

The Motion was agreed to, and the Committee appointed.

Borough of Stafford.] Sir *Thomas Freemantle* rose to move for leave to bring in a Bill to disfranchise the borough of Stafford, on the ground of the gross bribery and corruption which had been practised at that place at the last election. The House was aware, that his Motion was founded upon the Report of the Committee, that had sat in the last Session, to inquire into the practices of that borough. The Committee had directed its Chairman to move for leave to bring in a Bill of disfranchisement; and, as he had the honour of filling the chair, he now made his Motion, in obedience to the Report. The evidence before the Committee established the fact, of the prevalence of gross and systematic bribery, to such an extent, as to call for the disfranchisement of the borough. He did not feel that it was necessary to trouble the House with many observations at that early stage of the proceedings, as he would allow a sufficient interval to elapse, between the first and second reading of the Bill, for hon. Members to consider all the facts of the case. The elective franchise ought not to be taken from any individual, much less from a body of individuals, without a most satisfactory cause; but he was convinced that, in the case of Stafford, the necessity was imperative, and he would not shrink from the performance of his duty. During the election for Stafford, there had been opened, by each candidate, houses, at which the voters went to receive their money. Every man that received his pay had his name put down in writing, and these documents had been put into the hands of the Committee. Four-fifths of the voters had received money, so that the ends of justice would not be answered by any partial disfranchisement. The Committee had found, that the voters that had been introduced under the Reform Bill, had been as guilty as the rest. Of 167 of the newly-created 10*l.* householders, 85 had received bribes. Two-thirds of the old burgesses, who were 10*l.* householders, were likewise bribed. In fact, corruption was so general, so systematic and inveterate, that it was impossible to put a stop to it, except by the severe remedy which the Committee had recommended. It would be for the House to consider whether the franchise should be transferred to any other place, and, in the meantime, he should move for leave to bring in a Bill.

Mr. *Halcombe* objected, that the evidence had not been taken upon oath, and that it was publicly boasted of in Stafford, that the witnesses had told the Committee a parcel of lies. The House could not take away the most valuable rights from the people, without being able to punish for perjury the witnesses that had misled the Committee. He should give his strenuous opposition to the Motion.

Mr. *Chetwynd* complained, that the hon. Baronet who had brought the Motion, had not been made aware of the circumstances that had lately transpired in Stafford. Within a few days, it had been made known to him, that the witness who had given the list of bribed voters to the Committee, had publicly declared, that from the beginning to the end, it was a forgery. He would, therefore, entreat the House to suspend its judgment.

Lord *Althorp* said, that when notorious corruption was proved, it would be the duty of the House to disfranchise the borough. All must admit that, from the reform which had taken place in the representation, such practices could not continue, and the system of corrupt boroughs must be put an end to.

Leave given, Bill brought in and read a first time.

JUSTICES OF THE PEACE.] Lord *Howick* rose, for the purpose of moving for leave to bring in a Bill, to render more effectual proceedings before Justices of the Peace. The measure he should have the honour to introduce, was almost precisely similar to that which had been brought forward last Session, but which the multifarious business of pressing importance had prevented from being passed into law. He would not, therefore, trouble the House with any observations explanatory of its objects, further than to say, that it was principally proposed by it to remove those technical difficulties which at present prevented the satisfactory administration of justice, in certain cases, before Justices of the Peace. By one of its most important clauses, the public would also be relieved from the very oppressive use, which was sometimes made, by common informers, of penal Acts of Parliament, by which *minimum* penalties were imposed on various classes of defaulters; it being intended to vest in the Magistrates a discretionary power to lessen such *minimum* penalties, as they should think the nature and circumstances of the case might require. The only other object of the Bill he would mention was the important and desirable one, as it appeared to him, of putting an end to the gaming-houses in this town, which every body felt was an increasing and alarming evil. He did not anticipate any objection being urged against its introduction, and he would postpone all further discussion until hon. Members were in possession of the details of the Bill.

Mr. *Jervis* regarded the Bill of the noble Lord, if similar to that which had been introduced last Session, as one whose object was not to remove technical difficulties, but to confer on the Magistrates, who already possessed too much influence, an increase of power to an alarming extent.

Mr. *O'Connell* said, there was one principle in the Bill, which he totally disapproved of, although, as stated by the noble Lord (Howick) and under proper circumstances, it seemed in itself to be perfectly fair—he meant, the doing away of all technical objections. The misfortune was, that in proceedings before the Magistrates, the statutes excluded all consideration of the merits; whereas, if the evidence on the merits were set forth on a conviction, a Court of Appeal would be enabled to proceed much more satisfactorily.

Mr. *Hume* suggested, that the system of having unpaid Magistrates should be done away with altogether. He believed, that such Magistrates thought more of preserving game than any thing else, and so administered the laws, as to provoke rather than prevent crime.

Leave was given to bring in the Bill.

RECORD OF DIVISIONS IN THE HOUSE.] Mr. *Ward* rose to bring on his Motion for giving greater publicity to the Divisions of the House. He had undertaken this subject with the permission of the hon. member for Colchester, who had had the merit of introducing it during the last Session of Parliament; and in doing so, he requested the indulgence of the House, for bringing the question so early under its reconsideration. One reason for doing this was, that he believed justice was not done to the Motion on the former occasion, —he did not mean by the hon. member for Colchester, whose talents he admired, but by the House, whose attention was then occupied by the consideration of many other, and apparently more immediately important changes. They now stood in a very different situation, and he trusted that the present Motion would meet with the attention which it deserved. In his opinion, its adoption or rejection would have a very material influence on the character and prospects of the House. In calling upon the House to give publicity to its Divisions, he did not call on it to place itself in communication with the Press, but merely this—that there should be daily placed on the Table of the House an accurate record of the votes of every Member for and against every question. On referring to the debate which took place on the Motion of the hon. Member for Colchester, he found that the objections made to the proposition might be reduced to three. First, the impracticability of the plan proposed by the hon. Member: that objection was made by the Chancellor of the Exchequer as the sole reason of his opposition. The second was, the inexpediency of enforcing any responsibility at all, which was made by the noble Lord, the member for Norwich (Lord Stormont). The third was, that there was already a sufficient degree of practical publicity and responsibility, which was the argument of the right hon. Baronet, the member for Tamworth. The Noble Lord on the Treasury Bench did not object to the publication of the divisions generally, but objected merely to the specific plan proposed by the hon. Member as impracticable. This objection could not apply to the present Motion, because he meant to propose no specific plan. He would not draw off the attention of the House from the great principle on which his Motion was founded by the consideration of minor particulars. At the same time, he thought it right to say, that he would not have occupied their time by the consideration of a Motion of which he did not firmly believe that he could suggest a plan which could be reduced to practice. He had a plan by which he did not doubt that an accurate list of every Gentleman's votes might be taken without the loss of five minutes time. Some hon. Gentlemen appeared to doubt the possibility of this. He was perfectly willing to suggest the method. The reason why he mentioned this was, because he had been told, that to bring forward this Motion without stating any plan, would be as bad as to bring forward and state an impracticable one. He would, therefore, if the House wished it, relate his plan [*Loud cries of* "No, no!"]. As it rather appeared to be the feeling of the House that he should not enter into detail, he would refrain from doing so. The principle on which he based his Motion, was the incontestible, unalienable rights of those who sent them there to receive from them an authentic account of their transactions, and to know, on the authority of their own minutes, the way in which they discharged the duties which they had undertaken. On the last occasion this principle was impugned by the noble Lord, the member for Norwich, whom he was sorry not to see in his place. The noble Lord said, that every member of that House ought to represent his own opinions. That no man appointed to that House ought to be influenced in his votes by the actions of others. That no member of the House ought to be pulled up the next morning for giving a certain vote overnight; and that, in short, he ought not to be responsible for his vote. He would thus far agree with the noble Lord, that every member of that House ought to have the most perfect freedom of agency, but he differed from him, *toto cœlo*, as to the question of responsibility. He looked on responsibility as the very essence of Representative Government, and without publicity, responsibility could not exist. It was publicity alone, as Mr. Jefferson justly said, that supplied the check which prevented society from being divided into two extreme classes, the wolves and the sheep. Fortunately for us the wolves were at present at a discount, and the sheep were too wise to part with their fleece, unless something like good cause were first shown. The right hon. Baronet, the member for Tamworth, said, that we already had responsibility, or publicity (for the two words were synonymous) enough. That, on every occasion of interest to the constituents, the votes of Members were perfectly well known; and, consequently, that there was no necessity for departing from the established practice. To a certain extent this argument might be good. There was indeed a sort of half-and-half responsibility. Their respect for public opinion compelled them to take some measures of publicity, which, to a certain extent, compromised the character and dignity of the House. He had, after an important division, seen no less than nineteen letters in a Morning Paper on the same day—some explanatory, some exculpatory, some accounting for absence, but all calling on the editor to correct some inaccuracy—an inaccuracy not only unintentional, but, considering the manner in which the lists were now obtained, altogether unavoidable. Another objection of the right hon. Baronet to further publicity, was, that a very erroneous opinion might be formed of a public man, by founding it only on one particular vote. Those who read the Debates would not be deceived, but would understand them better in consequence of having an accurate list of votes, whilst those who looked only at the list of votes would be prevented from forming many very untrue conclusions. Besides, however well a Member of that House might speak, it was by his votes he must be judged at last. It was to his votes that he must appeal for public confidence; and whilst speeches were forgotten, votes were always accessible. There was one class of Members to whom he would take the liberty of addressing a few observations; he alluded to the old Members—to those who were attached to old forms, who were reluctant to see any change introduced, and who still clung to the strict privacy of divisions. He, however, should be the first to resist any proposition for permitting strangers to be present during a division, since, on questions of deep interest, it might be impossible to restrain some expressions of public feeling calculated, perhaps, in some measure, to influence their decisions. All that he sought was, to remove the anomalies which at present existed, and to correct a point where theory and practice were at variance. He could conceive no reason why a record should not be preserved of so important a portion of their proceedings—in which, indeed, their characters were concerned—when all other parts of their proceedings were recorded and published without scruple. More especially did this argument apply, when it was remembered that strict secrecy was impossible. They were not in the French Chambers, where votes were taken by ballot. Secrecy here was impossible; and, if it were possible, it would be most pernicious. There was only one class of Members whom he would believe to be sincere in their opposition to the publication—he meant the habitual absentees. He could conceive their dislike to their frequent absences being placed on record, but he was sure that those (by far the majority) who were impressed with a due sense of the important duties of their situation, would not, for a moment, entertain so unworthy an objection. To such he would say, grant a Committee; if, on investigation, the scheme should be found impracticable, without incurring too great a loss of time, let the Committee so report, and there would be an end of the question. But if, as he believed, publicity could be obtained at a very trifling sacrifice of time, then he hoped they would not permit such a sacrifice to interfere with so great a good as the publication of an authentic list of their divisions. He should, therefore, move the appointment of a Select Committee, to inquire into the best mode of obtaining correct and authentic lists of the divisions in that House; and that such Committee should be instructed to report thereon without delay.

Mr. *Hawes* seconded the Motion, which, he observed, was, in some respects, different from that of the hon. member for Colchester. He was most anxious that the lists of the votes should be published, with the authority and sanction of that House; that was almost the only mode in which he could show to his constituents the part which he took in the Debates. If the divisions were published, it was important that they should be published with all the authority which they would carry with them from having the name of the Speaker attached to them. His hon. friend had rightly observed, that it might be found in the Committee, that any plan proposed for that purpose would be impracticable. If that were so, then this question would be set at rest for ever. In opposing this Motion, let no man say that he was not opposing publicity being given to his votes on public questions; for, it must be evident to every thinking man, that every Member who opposed this Motion, must dislike the nature of his votes being disclosed to his constituents.

Lord *Althorp* said, his hon. friend had done him justice in saying, that he had merely opposed the Motion of the hon. member for Colchester on the question of its practicability. He never objected to the publication of divisions; and he certainly thought that, if they were published, the more correctly, the better. He certainly felt great doubt that his hon. friend would be able to produce a plan that was likely to be practicable. His hon. friend had not stated his plan tothe House; and he believed, had the question been put, there would have been a very near division whether he should have done so or not. He confessed, that he should have been glad to have heard what it was, for he had a great opinion of the ability of his hon. friend, and he had no doubt it was a very ingenious one. With respect to the Motion itself, he could have no objection to it, and he should be happy if the Resolutions of the Committee should be such as to lead to any practical result. He certainly thought, that every Member must be responsible for the way in which he voted, and as to the argument that a man on a certain occasion might vote differently from his general opinions, in order to support some particular line of policy, he did not consider it a sufficient objection, because such a circumstance could not occur frequently; and when it did, was susceptible of explanation, and would always meet with due allowance and consideration. He did not, however, think the present mode so objectionable as Gentlemen seemed to imagine. He did not believe the lists now published were very inaccurate. He was aware that during the last Session they were so; but the great number of new Members whose faces were not known, very naturally accounted for that circumstance. But whether they were accurate or not, he certainly could have no objection to means being taken to make them as accurate as possible. If, however, it should appear, that this could not be done without incurring a great loss of time, then he should certainly say, that the object to be attained was not worth such a sacrifice. Having made this statement, he should not object to the Motion.

Mr. *Hume* expressed his great gratification at the way in which the Motion had been met by the noble Lord opposite. The noble Lord had said that the present system furnished correct lists; but he had not taken into consideration the great labour which it threw on certain individuals. His noble friend knew how difficult it was to count both sides of the House. For his own part, he did not like to go on both sides. He would refer only to what had taken place during the present Session. There had been only two divisions published yet. The first of these was so incorrect, that he believed half the Members put down in it on one side were not in the House that evening; and it had required the greatest labour and trouble on the part of five Members to make it correct; but the first evil had been done, for the inaccurate list had gone throughout the country. As to time, he thought the plan that ought to be adopted would save time, whilst it would give the greatest satisfaction to the country. And as to the absentees, he thought it one of the greatest advantages of the system now proposed, that it would expose to the country those who neglected their duty.

Mr. *Harvey* defended the way in which he dropped his Motion last Session, and said, that unless a man belonged to one of the great parties in that House, he could not, had he even the tongue of an angel, expect his proposition to meet with the attention which its intrinsic merits might deserve.

Mr. *Warburton* regarded this Motion as most important, and he hoped he should have to congratulate the House on its success. He looked upon it as one of the most important results of the Reform Bill; indeed, he was not sure that it was not the most important, as regarded the good conduct of the Members. He remembered, that when a meeting was held at the chambers of a certain person, a great and important meeting, for the purpose of arranging a plan that was expected to terminate in the defeat of the Tory Ministry—he remembered, that the greatest importance was attached to securing accurate lists of the division, and the individuals who undertook the task of obtaining them, were over and over again charged to spare no pains to make them correct. If this were felt so important to the Reforming Interest on the eve of such a division—if all great parties in private admitted the importance of accuracy in these particulars, how was it that they had so long delayed obtaining that to which the public, as well as themselves, attached the greatest importance. But then it was urged that this great result could not be accomplished. Where was the difficulty? It was most mechanical. Could not clerks go from bench to bench, and take down the names; and if these clerks were not sufficiently numerous, let them pay another; if one were not enough, let them get two, three, or even four. Where was the difficulty?

The Motion was agreed to, and a Committee appointed.

HOUSE OF COMMONS,

Wednesday, February 12, 1834.

MINUTES.] Petitions presented. By Mr. SHAWE, from Dissenters at Lowestoffe, for a National Registry of Births and Marriages.—By Mr. SHEPPARD, from Frome, to the same effect.—By Mr. BLAMIRE, from Caldbeck, Cumberland, against Tithes.—By Sir ROBERT PEEL, from Mr. Holmes, against the Abolition of Imprisonment for Debt; and from St. Paul's, Southampton, against any Measures tending to weaken the Church.—By Mr. HUGHES HUGHES, from Dissenters at Ryde, for Redress.—By Mr. HODGES, from several Parishes in Kent, for the Commutation of Tithes; and for the Repeal of the Malt Duty; and by Lord SANDON, from Liverpool, for the Better Observance of the Sabbath.

ESCHEATS TO THE CROWN—CASE OF MR. HATCHETT.] Mr. *Warburton* begged to call the attention of the noble Lord, the Chancellor of the Exchequer, to a Petition which he held in his hand from Mr. Hatchett, of Belle-Vue house, Chelsea, a gentleman well known in the scientific world, who had a beneficial interest in a fund in the Bank of England, which had stood in the name of the late Henry Fauntleroy, as sole trustee of the property. Upon an application being made to the Bank for the payment of the fund, subsequent to the death of Fauntleroy, and for the appointment of a new trustee in his situation, an answer was returned by the Bank that the property to which Fauntleroy was trustee had, by reason of his conviction, become an escheat to the Crown. As soon as this answer was made to the person beneficially interested, he had resort to the advice of counsel, and obtained the very best opinion in his power. There being a considerable difference of opinion among the counsel as to the right construction of the law in such a case, and it being the opinion of many that the property had become escheated to the Crown, he was advised not to oppose the inquisition on the part of the Crown, but to accept back the property, which was escheated, from the Crown as a grant. An inquest was accordingly held, though he could not say in what manner it was conducted—whether in some dark hole or corner of the city, with a Jury who acted just as they were told by the Crown officers, or otherwise, but the consequence was, that the property was declared to have become an escheat to the Crown, and in conformity with that decision it had been escheated. When the party came to inquire how the property was to be obtained back from the Crown, he found upon an examination of the Stamp Act, that though in all cases of real property the transfer was only subject to a duty of 1*l.* 15*s.*, yet in cases of chattel property an *ad valorem* tax of 5*l.* per cent was imposed. So that in the present case the duty alone upon the transfer would amount to no less than 400*l.* These proceedings took place in the year 1824. Upon a representation being made to the Treasury of the circumstances of the case, it was admitted that it was an extremely hard one, and a promise was made that in the next Stamp Act an alteration should be made rectifying the mistake, and placing chattel property on the same footing with real property in this respect. The promised Stamp Act had been deferred from year to year, and the petitioner had been anxiously waiting, in the yearly expectation of seeing an alteration made, but up to the present moment no alteration whatever had taken place in the Stamp Act to meet the case of the petitioner. The correspondence which had taken place between the solicitor and the Treasury was set out at length in the petition, and could, therefore, be examined by the Government or any Member of the House. The tenth year had now arrived since the escheat took place, and in case the property was not immediately claimed, it must be paid over to the Commissioners of the National Debt, which would throw another important obstacle in the way of obtaining the money. This was a case in which Fauntleroy was sole trustee. He, would, however, also beg to direct their attention to another case in which Fauntleroy was a co-trustee. An application had been made in this case, since the death of Fauntleroy, to have a new trustee appointed in his room. The payment of the dividends had not been suspended; up to the present moment they had been regularly paid, but the answer returned by the Bank to the request for the appointment of a new trustee, which he confessed he did not understand, was this—the solicitor to the Bank signified the refusal by the Bank to allow the appointment of any new trustee, inasmuch as Fauntleroy's interest in the stock had become forfeited to the Crown, and as the Crown could not be a joint tenant with any other person, therefore the whole had become forfeited. The opinion which he (Mr. Warburton) had formed on the subject was, that the decision in the case where Fauntleroy was sole trustee was consistent with the law, but that in the case where Fauntleroy was only a co-trustee, the opinion of the Bank and the Treasury was inaccurate. In ordinary cases the property became vested in the new trustee, and he saw nothing in the present to distinguish it from any other. The only question to be decided was, what was the best course to be pursued in cases of this kind, for the law of which the petitioner now complained had been in operation for the last sixty years, and it affected the title of the chattel property of every person where his trustee had been guilty of felony or committed suicide. It appeared to him that the proper course would be that a Bill should be brought in, not as a simple remedy given to those who should solicit a remittance of the duty under the Stamp Act, but a Bill declaring that in cases of a trustee becoming a felon, or undergoing a civil death, the property should not become an escheat to the Crown, but should vest in trustees acting beneficially for the parties interested. It was not in the power of an individual without the consent of the Crown, to introduce such a Bill; but if the noble Lord assured him, that on the production of such a Bill the formal objection to it would not be insisted upon, from the encouragement he had received, he would undertake to introduce such a Bill. A noble Lord, formerly a Judge, had promised to superintend such a Bill in the House of Lords. He hoped, therefore, that the noble Lord would give him the assurance, that if such a Bill were submitted to the Lords of the Treasury, the *pro forma* objection to it would be waived, and that he would be allowed to introduce it. He believed that he had gone over all the heads contained in the petition; he would only state that this was not a single case, that there were a great number of individuals with small property who were in a similar situation, who were waiting the result of this petition, but whose properties were so small that they could not go to the expense necessary to obtain them. As this was not a solitary case, but affected a great number of individuals, he hoped the noble Lord would throw no impediments in the way of such a Bill.

Lord *Althorp* said, he had not the least hesitation in saying, that the statements which had been made showed a case of very extreme hardship. With respect to the individual, it was well known to the hon. Member, that he (Lord Althorp) had the honour and the pleasure of his acquaintance. The case, however, had not come under his notice before, otherwise he should have felt it his duty to take immediate steps for an inquiry into it, and to have redressed the grievance at the earliest moment. As to the question put to him by the hon. Member, he could only say, that he would give his advice, and he had little doubt it would be acted upon, that no formal objection should be taken to the introduction of such a Bill as that spoken of. If any other individuals had the misfortune to be placed in the situation of the petitioner, who had become a sufferer from the misconduct of his trustee, the case of those individuals was one that ought to receive the commiseration and assistance of the House.

Petition laid on the Table.

COMMITTEE OF PRIVILEGES — MR. SHEIL'S CASE.] Mr. *Grote* said, that as Chairman of the Committee of Privileges, now sitting, he had been requested to submit a Motion for the addition of one Member to the present number of the body. It would be recollected, that when the hon. and learned member for Dublin (Mr. O'Connell) moved for the appointment of the Committee, he not only abstained from inserting his own name in the list, although it had been the almost invariable practice that the mover should take the Chair; but, from peculiar feelings of delicacy, he had omitted all who were in any way, whether publicly or privately, connected with the hon. member for Tipperary (Mr. Sheil). Immediately they entered upon their inquiry, the Committee arrived at a strong conviction that they should not be able to prosecute it to their own satisfaction, or with a certainty of doing complete justice to the hon. member for Tipperary, unless some Member were added to the Committee in whom that hon. Member could implicitly confide, and by whose advice he was willing at all times to be guided. It was, therefore, proposed that the name of Mr. O'Connell should be added to the list of the Committee. He had only further to state, that this Motion emanated from the unanimous wish of the Committee, and that the hon. member for Tipperary had neither suggested nor encouraged it.

Lord *John Russell* wished the Motion to be made to-morrow. In itself it seemed a very extraordinary proposition, after what had already passed upon the subject, and after the formation of the Committee without the hon. and learned member for Dublin, that it should now be proposed to insert his name, without giving any similar advantage to the other side. He did not say, that he was prepared to oppose the Motion, but he trusted that a day's notice would be given to afford time for consideration.

Mr. *Grote* was quite ready to defer the Motion till to-morrow. He begged again to say, that it proceeded from the unanimous wish of the Committee, and from no other quarter.

Mr. *Feargus O'Connor* hoped that the proceedings of the Committee would be stayed until the point was decided. The question was one of a most ridiculous nature to be submitted to the solemn adjudication of a Committee.

The *Speaker* reminded the hon. Member that it would not be necessary to put any restraint upon the Committee. The hon. member for London had stated, that it was the unanimous opinion of the Committee that justice could not be done, and the inquiry duly prosecuted, unless the additional Member were appointed. Therefore, whether the present question were or were not postponed, reliance might safely be placed in the Committee either as to the course or speed of its proceedings.

Mr. *Warburton* observed, that the Member proposed to be added was to act somewhat in the capacity of nominee. If the question had not been formally put, there was not a single dissentient voice to the proposition that the present Motion should be made. It was the anxious desire of the Committee that the hon. member for Tipperary should have some friend present during the examination of the witnesses upon whom he could rely, and he trusted that the House would not object to the appointment of the hon. and learned member for Dublin.

Mr. *O'Connell* might be permitted just to say, that the Committee had done him the honour to send for him to be present at their proceedings; but that when he came into the room, he had stated his extreme unwillingness to remain there in the doubtful capacity of adviser, when he had no right to take part in the proceedings as a member of the Committee. He had, therefore, totally declined attending, until the House had decided the point now in question.

Sir *Robert Peel* said, that the opinion that the hon. Member should belong to the Committee, was unanimous. The charge personally affected a Member of the House, and it was considered very important that he should have somebody present who was possessed of his entire confidence. He had thought that the individual who moved for the Committee, would have been a member of it, and would have acted in that capacity, and not merely as *amicus curiæ.* It was necessary that the witnesses should be cross-examined, and it would very much paralyse the abilities, and mar the efforts of any man who undertook this task, if, not being a member of the Committee, he was obliged to put his questions in writing, or at least through the medium of a third person. He hoped that no resistance would be made to deciding upon the Motion now.

Lord *John Russell* was anxious chiefly for a little time for consideration, and certainly did not mean to oppose any obstacle to the choice of the hon. member for Dublin. It was not to be forgotten, however, that the public character and private honour of the member for Hull were likewise involved. It would be hardly fair that the hon. and learned member for Dublin should have the opportunity of putting all his questions with the ability he was known to possess, in favour of his friend, and that no other Member should be present for the same purpose on behalf of the member for Hull.

Sir *Robert Peel* entered into the feelings of the noble Lord, but begged to remark that the hon. member for Hull was not a party accused.

The Question—"That Mr. O'Connell be a member of the Committee," was agreed to.

THE AUDITORSHIP OF THE EXCHEQUER.] Mr. *Hume* rose to ask a question of his Majesty's Ministers on a point that had been talked of a good deal out of the House. He wished to know what arrangement had been made by the Government when the office held by the late Lord Grenville was given to Lord Auckland. Was Lord Auckland to hold that office consecutively with his present? It was generally understood that, by the Act applicable to that office, that office should cease with the demise of its late holder. But it now appeared that it was, emoluments and all, still in existence. What arrangement then, he would ask the Government, had been come to with Lord Auckland, or if any, on his appointment to the Auditorship of the Exchequer?

Lord *Althorp* said, he was not sorry he was asked such a question. Much unnecessary and unfounded representation was made on the subject. From the state of the law relative to the Exchequer, it was found necessary that an officer should be appointed without delay. No money could be issued without the signature of the auditor. The appointment was one, not of choice, but of necessity. It was not intended that Lord Auckland should enjoy the emoluments of both offices, neither did his Lordship accept the office on any such understanding. He accepted it subject to any regulation the House might make. Nay, more: he took it on the condition that he would receive no salary while holding at the same time the office of President of the Board of Trade. In case the Bill regulating the office should pass, it was intended that, in place of the present salary of 4,000*l.* a-year, it should be reduced to 2,000*l.* a-year. The appointment, he repeated, would not have been made, had it not been necessary to fill up the office.

GLASGOW LOTTERY.] Mr. *Sinclair* begged to ask whether it was the intention of Government to make any inquiry regarding the Glasgow Lottery? and suggested that a Committee should be appointed, to consider in what manner any further drawings might be put a stop to, and to take measures to provide against any future Lotteries of the same nature.

Lord *Althorp* said, that the subject had been before under the consideration of the House, when it was suggested that it would be unfair to put a stop to the Lottery at that time, as part had been drawn, and people who held tickets would lose their money. He regretted much that such a Bill had passed, and he trusted that means would be found to prevent the recurrence of such a circumstance in future.

Sir *Robert Inglis* had stated, when the case came formerly under the consideration of the House, that in his opinion a Bill ought to pass for the prevention of this lottery. He saw no difference between the circumstances then and now, and he still was of opinion that the subject should be taken into consideration. He trusted that, as the subject was now brought under the notice of the House, care would be taken to prevent the recurrence of any such scheme in future. He could see that the feelings of the House were hurt that such an affair should be permitted, and he was certain that such were the feelings of the country.

Sir *Robert Peel* said, that there had been not one lottery, but three lotteries under the Act in question; and it was extraordinary, that neither the Member who took charge of the Bill nor the Solicitor who carried it through the House had had the slightest conception that it was the intention to make it the means of bearing a lottery. He thought it a public scandal that such a Bill had ever passed that House. He did not think that evil would come of publicly discussing the subject. It would, he hoped, open the eyes of the public, and prevent them from buying tickets. He concurred with the Members who had previously spoken on the propriety of preventing such Bills passing in future, and observed, that in the Bill in question the word lottery was not so much as once mentioned. He thought the whole matter disreputable to the Legislature, and hoped, by way of punishing the projectors for the fraud they had practised, that it might prove a losing concern to them.

The conversation was dropped.

HOUSE OF LORDS,

Thursday, February 13, 1833.

MINUTES.] Petitions presented. By the Duke of RICHMOND, from the Parishes of Quadring and Donington, for a Renewal and Extension of the Labour Rate.

HOUSE OF COMMONS,

Thursday, February 13, 1834.

MINUTES.] Bills. Read a first time:—Warwick Bribery Prevention; and Liverpool Freemen Disfranchised.

Petitions presented. By Sir CHARLES BURRELL, from Nuthurst, Sussex, for a Continuance and Extension of the Labour Rate.—By Mr. W. F. PONSONBY, from Lyme Regis and Charmouth, for a Reform of the Church of England.—By Mr. A. JOHNSTONE, from the Presbytery of Dunfermline, that the Right of Presenting to Voluntary Churches may be exercised by the Church Courts establishing them.—By Sir SAMUEL WHALLEY, from Marylebone, for a Repeal of the House and Window Tax; also against the Bill passed last Session, concerning the Removal of Scotch and Irish Vagrants.—By Mr. WALTER, from Berkshire, against Tithes.—By Mr. BENET, from the Dissenters of Warminster, for Relief.

GRIEVANCES OF DISSENTERS.] Mr. *Benett* presented a Petition from the Congregation of the Independent Chapel of Warminster, complaining of the grievances to which they had been subjected by the payment of Church-rates—by the want of a proper registration of births and deaths in their congregation — by their inability to bury their dead according to the rules and ceremonies of their Church, and by being obliged in their marriages to conform to certain ceremonies at variance with their conscientious opinions. They complained also, that they were debarred the benefit of having their children educated in the national schools, unless they subscribed to certain articles which would make them members of the Established Church. In the prayer of the petition he fully concurred, and could bear testimony to the respectability of the persons whose signatures were attached to it.

Mr. *Finn* begged leave to state, that the demands of this petition were very just, and that the Dissenters laboured under great hardships. The system of registration of marriages had worked well in Ireland, and with regard to burials, the present Lord Chancellor of Ireland had introduced a Bill to allow Catholics to be buried according to their own ritual and forms. That was but the legitimate course, and those who were most anxious for the Established Church would do well to concede the claims of the Dissenters. If the members of the Established Church, or if his Majesty's Government did resist them, the Dissenters might adopt a very easy mode—the same that was some years ago resorted to in Ireland. In Dublin the Catholics established cemeteries to bury their dead in, and the clergy were thus deprived of a great portion of their fees; the result was, that the clergy found it convenient very much to reduce their prices. The adoption of that mode by the Dissenters would have the effect of remedying some of the evils complained of.

Mr. *Cutlar Fergusson* supported the petition. He rejoiced that two great measures had been passed for the relief of Dissenters and Catholics, which were most satisfactory as far as they went, but something further was desired. He must say that the conduct of the Catholics towards the Dissenters was highly creditable to them, it was at the same time but justice to the Dissenters to say that they had been the strenuous supporters of Catholic emancipation. By their powerful aid that triumphant measure, which reflects the highest honour on the justice of a British House of Commons had been carried. In all their reasonable and just demands, therefore, and few that he had seen in the public prints could be considered unreasonable—they should have his cordial support. The Dissenters of England were a most loyal body of men, and in times when the country was in a less peaceable and quiet state than at present, there was no instance of Dissenters having shown any desire to overthrow the established institutions. They had the most indisputable claims to the favour of the House, and he hoped that none of their grievances would go unredressed another Session.

Petition laid on the Table.

TITHES.] Mr. *Walter* presented a Petition from a considerable number of owners and occupiers of land in the County of Berks. The petitioners said, that they had presumed to address the House, in consequence of their understanding it to be the intention of his Majesty's Ministers to introduce a Bill for effecting certain changes in the Tithe-laws. They complained that the demand of one-tenth part of the gross produce of the land by those who contribute nothing towards its production, is at variance with the dictates of reason and the principles of justice, and most oppressive in cases that frequently occur, when the value of the whole crop will not pay the expense of raising it. The petitioners, therefore, earnestly prayed that the subject of tithes might be taken into serious consideration, and that tithes might be permanently commuted, on the basis of supposing the tithe owner the tenth joint proprietor of the soil. But anxiously as they desired a change in the existing Tithe-laws, oppressive and unjust as they considered them, they would nevertheless prefer their continuance to the enactment of any other measure that would have the effect of exempting the holders of tithe property from bearing their just portion of all parochial and other assessments, thereby severing their interests from those of the rest of the community. It was not necessary for him on that occasion to say how far he might be disposed to go with the petitioners in the system which they would wish to have adopted for effecting the commutation of tithes; but he thought it necessary to state, that the petitioners were persons of high character and respectability, some of them being Magistrates of the county. With respect to this tithe question, he could not help remarking that the clergy were not the only persons immediately affected by it as tithe-owners. The origin and objects of tithe property were, at least so far as lay impropriations were concerned, greatly mistaken. The original possessors of such property, before the reign of Henry 8th, were always chargeable with the finding of fit and proper priests to perform parochial duties in those parishes from which the tithes were reaped, and with the maintenance and remuneration of such priests. He feared, however, that lay impropriators, whether individuals or corporations, did not at present adequately maintain the vicars of those parishes of which they enjoyed the tithes. Such impropriators, in far too many instances, had slunk out of the duties to the discharge of which that property was in ancient times, and ought at all times to be, amenable. He said, therefore, that all vicarages so situated, had an immediate and most equitable claim to augmentation, for a restitution of that property of which they had been deprived, and for a full remuneration to the clerical incumbents according to the circumstances of the present times. Let the lay impropriator enjoy the remainder, which was all to which he had a legal or reasonable title; and, by this just process, the funds for the necessary support of the clergy would be increased, where they were now inadequate; and the additional advantage would likewise follow, that a portion would be spent in the very parishes from whence the tithes were reaped, and not the whole expended by a lay impropriator in some distant county. He hoped that the whole question would be adjusted in a manner satisfactory to the clergy, and beneficial to the country at large.

Petition laid on the Table.

PASSING OF PAUPERS.] Sir *Samuel Whalley* presented a Petition from the electors of the parish of St. Marylebone, praying for relief from general and local taxation. The petitioners complained that they had for a long time implored the House to release them from taxation, but only had the mortification to find, that, instead of being relieved, additional burthens were thrown upon them. With respect to local taxation, they complained especially of the county rate. The House was aware that, heretofore, the law was, that when Scotch and Irish paupers became chargeable to a parish or county, they were removed to the borders of that county to which they belonged; but an Act had recently been passed for the removal of Scotch and Irish paupers at the whole and sole expense of the parish to which they had become chargeable, and the Magistrates in Sessions assembled had the power of contracting for the removal of such paupers, which they had done under the authority of the new Act, at the rate of 32*s*. per head. The House would, therefore, perceive that on the first showing the cost was increased more than six fold, being raised from 5*s*. to 32*s*. per head. The petitioners were willing to admit that great abuses existed under the old plan, and that an alteration in the law was necessary; but it was necessary, in a statistical point of view, to obtain accurate information of the number of Scotch and Irish paupers which became chargeable to the parishes of England, and more particularly to those in the county of Middlesex. The petitioners thought it hard that the whole expense of the experiment should be thrown upon them. The parishioners of Marylebone had to pay more than one-sixth part of the whole county rate, and they had seen that rate increase to such a frightful amount that it had become one of the most important items in the public accounts. They complained that the county rate was levied by an irresponsible body of Magistrates, who, for the most part, were not sufficiently informed upon the subject, and a great alteration must take place in the mode of levying the rate, before the petitioners could hope for relief. Under this head they alluded to the agricultural distress, which drew a large influx of Irish labourers, who, in slowly working their way up to the metropolis, either transmitted the wages of their labour to their own country, or so completely secreted their money about their persons, that when they reached the metropolis they only became a burthen to it. He believed this evil would never be remedied, until the House should resolve to introduce into Ireland a modified system of Poor-laws, grounded upon the act of Elizabeth. He hoped, that whenever the Government should introduce such a plan, it would be received by the Irish Members with acclamation.

Mr. *O'Dwyer* thought it rather inconsistent in English Members, who were such strenuous advocates of the legislative Union, to advocate the course enforced by his hon. friend, the member for Marylebone. If there were really a union between the countries, it was surely unjust in the extreme, to contemplate the exclusion of any portion of the Irish people from this country. At all events, for the sake of impartiality, and in furtherance of the reciprocity system, he hoped the House would not limit itself to sending back the pauper—he trusted that when the poor vagrants were sent back to Ireland, the rich vagabonds would receive orders to march with them. Since he had the honour of a seat in that House, he had not heard one complaint uttered against the parochial settlement in Marylebone of Irish absentees. There was the most unrestricted intercourse of opulent interlopers permitted; and he would take leave to say, that whilst a considerable portion of the four or five millions of absentee rents were expended in the metropolis, the good citizens were scarcely to be pitied, if there were appended to this enjoyment, the inconvenience of supporting some of the paupers that absenteeism created. He begged, however, to say, although he thought the restoration to Ireland of the protection of a domestic legislature would be the best means of relieving the general distress, there were means of easy adoption that would eradicate that Irish pauperism of which the English people complained. He attributed to absenteeism almost all the sufferings of his countrymen. He thought that this was an evil of superior magnitude to all others that afflicted Ireland, and the fountain of abundant misery. One of its consequences was the wretchedness it entailed upon the poorer classes, who, deprived of their natural protectors, were left a prey to want and destitution. He would remedy this state of things by a simple process. There was in Ireland resident capital sufficient to purchase the property of absentees, if the legal impediments arising from entail family settlements, or other bars, were removed. He saw no reason why parliament should not legislate for the removal of those difficulties, taking care, as much as possible, to protect all interests, by applying to the purposes originally intended, all money arising from the sale of property under these circumstances. By this means a resident gentry would be at once created—the greatest source of disagreement between the countries would be removed—and his poor countrymen who were now wandering in search of employment would prosper at home, under the care and encouragement of those whose interest was identified with the prosperity of their common land. He did not mean to say that he would not support a poor law of some kind or other, although he could anticipate its disastrous effects upon one class. He thought the poor had a right equal to that of any other portion of society, and he for one would resort to any experiment that could alleviate the misery of the destitute people.

Mr. *Finn* was surprised at the terms in which the hon. Gentleman (Sir Samuel Whalley) had talked of the Irish peasantry, who came to this country to seek employment. He knew these poor creatures well; they were wretchedly clad, wretchedly fed; and, when in their own country, extremely ill-housed. Their condition was the effect of the manner in which Ireland had been treated by those in whose hands her Government was placed, and was the result of that misgovernment which had continued for seven hundred years, and had reduced that fine country to such a state of distress. Mr. Pitt, in that House, had himself admitted the selfish and narrow policy adopted towards Ireland by this country--a policy which sacrificed all Irish interests to the jealousy of England. Lord Grenville had made the very same admission, and to this very hour those who governed that country were true to the same policy. The sums of money which it was said those wretched men were able to put together were exaggerated. He had made the most particular inquiries amongst two hundred of them, in the port of Liverpool, and he found that the largest sum which they had been able to collect did not exceed 30*s.* per head. His advice to those men was, never to go back to their own country, but to convert the money that they had to procuring themselves a passage to America, where there was a demand for labour, and where they would be sure to find remunerative employment. Some of these poor men had been barbarously treated. Many of them had their faces cut, and had about them other marks of ill-treatment. He saw one man among them who had the appearance and wore the dress of an English labourer. "Why, my friend," said he (Mr. Finn) to him, "are you not an Englishman?"—"No, Sir," replied he, "but I have a kind master, with whom I have worked for many years, and he has dressed me in this way in order to save me from ill-usage in passing through the country." Why then did they boast of their condescension and kindness to Irishmen, with these facts before their eyes? He believed it was difficult to protect Irishmen from aggression; and when he had heard the hon. member for Waterford talk of his Scotch steward, he had shouted with derision, as if that were worse than was practised in England. Why talk of their generosity to Irishmen,—had they not in Ireland seven English Bishops, with an income of 40,000*l.* a year, and with patronage to the amount of upwards of 150,000*l.* Did they talk then of their generosity towards Irishmen? Had they not besides five millions of absentee rental coming to enrich this country, fructifying in every channel through which it passed, and giving that employment to Englishmen of which the Irish were deprived. Besides, the principal portion of their economy was drawn from the diminution of Irish establishments. The hitherto designated loyal portion of that country were beginning to feel the withering effects of the system, and were becoming alive to a sense of their common interests as Irishmen. He had heard them talk of the gin shops, as one of the greatest evils to the morality of the English people; and he had no hesitation in saying, that one of the most prolific sources of evil and misfortune to Ireland, and of ruin to the morality of its people, were the wretched whiskey shops in which it abounded, and to the existence of which, and to the consumption of that destructive beverage, the Government afforded every facility, for the sake of the revenue which they derived from it. It was in these places that half the crimes which were perpetrated by the people were committed; and it was under the influence of this pernicious excitement that they were committed. In his county he had traced the criminal from the whiskey shop to the dock; he had marked the career of crime and found it all originating in the drinking of ardent spirits. In a village of his own property, consisting of about forty houses, there were seven whiskey shops, and he found it impossible to check the evil. When English gentlemen talked of the state of the Irish people, he would remind them of one fact, that since the Union the population of Ireland had nearly doubled, and the consumption of butchers' meat had diminished to one-half.

Mr. *Potter* hoped, the hon. and learned member for Kilkenny would except the manufacturing districts from the censure of ill-treating Irishmen. He begged to say, that, in the town he was connected with (Manchester), Irishmen were treated as well as Englishmen. This was particularly the case in the distribution of the numerous charities which existed in that place. He could say the same of the town he had the honour to represent, where a great number of Irish resided. He never heard of work being refused to a man, because he was an Irishman. In his opinion, the cotton trade would not have got to its present enormous extent, without the assistance of Irish labourers.

Mr. *Andrew Johnston* said, that he heard much said about Irish and Scotch vagrants, and about sending them back to their own country. He should very much wish to be informed by the hon. member for Marylebone where the extraordinary influx of Scotch paupers came from? Let it be considered, that an Englishman, after a residence of three years in Scotland, became entitled to parochial relief, but a Scotchman in this country could not obtain such a settlement. Under these circumstances, he thought that they ought not to be twitted with Scotch vagrants. He would take leave to say, that those complaints came with a very bad grace from the metropolis. He would remind the hon. Member, who had presented the petition, of the enormous sums which the metropolis drew from the whole country. For six months of the year, the whole of the Aristocracy of England was resident in the metropolis, and the whole of their property was spent there. If any one would take the trouble to look to the state of the metropolis, while the Aristocracy was resident, and whilst they were absent, he would find a very great difference indeed. The complaints were, in his opinion, unjust and unfounded, and the hon. Member, before making any observations on such a petition, ought to view with caution the statements contained in it, and to take into consideration the grievances which were endured by the rest of the country.

Mr. *Barron* said, that the complaints made by the hon. member for Marylebone were unfounded, unjust, and illiberal. A very great portion of the property of Ireland and of Scotland, was spent in the very place from which this petition came; and if the hon. Member were to move for a return of the number of Irish paupers in this country, he should feel it his duty to move for a similar return of the number of proprietors from Ireland, who spent their fortunes in the parish of Marylebone. The petitioners, in his opinion, had taken a narrow and most illiberal view of the subject. With regard to the introduction of Poor-laws into Ireland, he hoped that the House would not permit such a measure to be introduced into that country—a measure which had brought so much misery and crime into this country;—and in their anxiety to keep Irish paupers at home, to inflict the greatest curse upon Ireland that had ever been inflicted upon any nation. He most anxiously desired, that something efficacious should be done for the poor of Ireland, but he did not think that a poor rate levied upon land would effect that purpose. No man could be a resident proprietor, and not feel that it was impossible to avoid doing something for the poor. But there were many other means of relieving the poor better than Poor-laws. For instance, a national measure for reclaiming waste lands, for improving the national resources, for building bridges, laying canals, and such like, in all of which respects the country had been grossly neglected.

Mr. *Maxwell* said: Sir, I trust the statement of the member for Kilkenny has attracted the sympathy of every one in this House, and trust, also, that some Member from that part of the empire will afford us an opportunity of assisting in promoting residence there, and providing means of employment and relief for Irishmen in their native country. Whatever may be the disposition of the House in favour of absentee taxes, and taxes for the support of those who are destitute, I feel persuaded that there is, in the United Empire, a universal wish for some enactments calculated to preserve to the Irish workmen the means of employment when in health, and of relief when unable to work, out of the funds which are now altogether taken away from them by absentees, whether individual or corporate, and of augmenting the numbers and the prosperity of those who spend their incomes amongst their countrymen. Measures calculated for such ends, from whatever quarter they may come, will, I hope, meet the support of many Members of this House, who will be glad to co-operate in any measures so obviously conducive to promote the peace and happiness of that part of the Empire, and the benefit of Great Britain.

Mr. *Feargus O'Connor* said, that he had not intended to take any part in this discussion; but he could not pass by what had been said by the hon. member for Waterford, without noticing it. He had intended, last Session, to bring forward some specific Motion for the improvement of Ireland. He had given notice of a Motion for the introduction of Poor-laws into that country; but, by the advice of several hon. Members, he had abstained from bringing forward his Motion. He intended, notwithstanding this, to bring forward such a Motion this Session. His great object would be to open a market for labour; and the noble Lord (the Chancellor of the Exchequer) informed him, that he liked his (Mr. O'Connor's) system, and that a similar system had been acted upon by him (Lord Althorp) — namely, exciting competition by agricultural premiums. He thought, that the hon. Members who cavilled at the term "vagabonds" understood it in a wrong sense. He thought, that the hon. member for Marylebone meant it in a legal sense; and, consequently, meant nothing hurtful to the feelings of Irishmen. He differed entirely from the hon. member for Waterford (Mr. Barron), with respect to the effects of the Poor-laws; and that hon. Member was wrong in supposing that Poor-laws would be injurious to the landed interest. The hon. member for Waterford seemed to be under an apprehension that his property would be injured. Now, it was not fair to assume, that because Poor-laws worked ill in this country, that a system of Poor-laws could not be devised, which would work well for Ireland. He certainly would support the introduction of Poor-laws into that country.

Mr. *Hardy* did not think, that the hon. member for Marylebone ought to have been found so much fault with for his using the word vagabond. The class of persons of whom he spoke were so in reality, for not one in twenty of those who were passed as Scotch and Irish paupers, had ever been in their respective countries for years: their plan was, to get to a great town, such as Bristol or London, and there apply to a parish who forwarded them on their journeys. But the fact was, they never got further than Carlisle; at that point, they begged their way once more up to the place from which they had been passed, or some other large town; and again were treated by what to them was a very pleasant excursion at the charge of the payers of the Poor-rates. They went to these large towns, because they had a greater choice of parishes, and, of course, fewer chances of detection. The evils were altogether occasioned by this class of persons, and not by those who came into England to seek for employment.

Colonel *Williams* declared that, notwithstanding all that had been said against the Act of Elizabeth, he would affirm, that there never was a more benevolent measure than that by which a provision was made for the aged, the infirm, and the orphan. He spoke from an experience of a quarter of a century in the Administration of these laws; and he declared that it was not the laws themselves that caused the mischief, but their maladministration.

Petition laid on the Table.

ASSESSED TAXES.] Sir *Samuel Whalley* presented a Petition from the inhabitants of Marylebone, agreed to at a public meeting, over which a noble Lord presided in his capacity of Churchwarden, praying for the Repeal of the Assessed-taxes. He could not let such an important petition be thrown into the box under the Table, without saying a few words upon the subject, even though the House might be tired of hearing so much upon that subject. The injustice of the House and Window-taxes, had been already so clearly and so repeatedly shown, that he would say but little on the matter. He would only observe, that that injustice could not be more forcibly illustrated, than by the fact, that Marylebone parish paid more to these taxes in a year, than a dozen counties. But there was another view—a moral view—in which the matter might be put, which would effectually bind the House to the Repeal of those taxes. When the Reform Bill was under discussion in the House, much had been said in regard to the prevention of bribery—and he believed, that the House was sincere in desiring to prevent it; but had they not even in that bill given the greatest facilities to it, by withholding the franchise from every person till these taxes were paid? Though not one of his constituents had ever insulted him, by asking him to pay these taxes, in order that he might have his vote, yet he must consider it a great incentive to bribery. The petition was signed only by persons who attended the meeting, and were members of the vestry; but he trusted that the House, on that account, would not draw the conclusion that, on the subject of the petition, the parish were not unanimous. He had previously presented a similar Petition, signed by upwards of six thousand persons, and he felt no hesitation in saying, if the present petition had been carried from house to house, that there would not have been six persons who would not have signed it. He was perfectly aware, how ineffectual an advocate he was on the present question; but he felt it to be his duty not to allow the petition to be presented *sub silentio*. He trusted the House would bear in mind, that the people had been grievously disappointed upon the subject, as they confidently expected, from what fell from the noble Lord, (the Chancellor of the Exchequer) in the last Session, that the obnoxious taxes would have been repealed; and it was not, therefore, to be wondered at that the people had taken steps which he, for one, felt extremely sorry for.

Mr. *Briscoe*, in rising to support the prayer of the petition, observed, that he did so the more readily, because he trusted he should remove an impression which appeared to have existed at the meeting from which the Petition emanated, that he was unfriendly to the Repeal of the House and Window tax. On the contrary, he begged leave, in the most pointed and effectual manner, to impress upon Lord Althorp the wisdom and policy of abolishing such obnoxious imposts. The grievous inequality of the House-tax he believed no Gentleman in that House was inclined to deny. If there were those who would do so, he would beg to remind them, that there were two whole counties in which the highest rate of assessment to the house-duty did not exceed 20*l.* or 30*l.*; and there were no less than 15 counties, including that of Durham, which was so pre-eminent for the magnificence of its palaces and castles, in which the maximum did not exceed 100*l.*; while there was scarcely a single tradesman in the Metropolis so low-rated as twenty pounds; but great numbers in which the maximum of 100*l.* in the counties to which he had referred was greatly exceeded. He thought that the inhabitants of the Metropolis had very just grounds for presenting the petition for the removal of such obnoxious imposts as the House and Window taxes; and, he believed, that by a reduction of the public expenditure, taking into consideration the flourishing state of the revenue, and the improvements which he thought might be fairly anticipated in other parts of it, the House would be fully justified in repealing those taxes. He had every hope that if the noble Lord, (Lord Althorp) would comply with the prayer of the petition, that it would confer very great relief, and be received with very great satisfaction by the country. Not only did he (Mr. Briscoe) sympathise with the sufferings of the petitioners, but also the great body of his constituents were equally interested, and anxious for the immediate repeal of those taxes. When he remembered the very long period during which the petitioners had borne the heavy burthen of these taxes with so much patience and forbearance, he conceived that they were justly entitled to relief from a professedly reforming Administration, and a Reformed Parliament.

Dr. *Lushington* said, that he had been requested by the very respectable body of petitioners who had attended the meeting to appear in his place in that House, to give the petition that support to which he conceived it entitled. He had never entertained a doubt of the expediency of repealing those taxes, and, he might almost add, of the necessity of proceeding to the speedy adoption of that measure. The numerous constituency which he (Dr. Lushington) represented were, of all others of his Majesty's subjects, those who suffered most under the pressure of the taxes called the House and Window taxes. They consisted of a very numerous class of persons, by far the larger portion earning their subsistence by their own industry, in trade and commercial pursuits. The inhabitants of the Tower Hamlets derived no benefit from the large expenditure of the aristocracy in the metropolis—they were entirely dependent on the trade and commerce of the port of London. In comparison with the incomes they derived from their labour, those taxes pressed on them with infinitely greater severity than on any other class of his Majesty's subjects. He knew many instances where persons were assessed for both House and Window taxes, whose weekly earnings did not exceed 9*s.*; and he did conceive that it was utterly impracticable to adopt any modification by which they could be made to bear equitably upon all classes of the people. Nothing but the entire and complete repeal of these taxes would answer the just expectation of the petitioners and the country at large. With respect to the Window-tax and its mischievous consequences, he would say that, in principle, it was infinitely more objectionable than the House-tax. The consequence of that tax was neither more nor less than this, that it allowed to the rich the benefit and advantages of enjoying that which was most conducive to good health—pure air—while it prevented those from enjoying them at home who could not go abroad to seek them, who had not the means of enjoying it otherwise. No person could entertain a stronger opinion of the propriety of repealing those taxes, or of the necessity of urging it with greater energy than himself, and he hoped the House would permit him to say a few words on the part he had taken in the proceedings upon this subject during the past Session. He was compelled to vote, not against the repeal of those taxes, but in support of a Motion which left it doubtful, if that Motion had not been carried, whether they would not have been subjected to a Property-tax, with an Income-tax annexed to it. It was not because he wavered or had entertained a doubt that these taxes should be repealed, but because he conceived that by voting otherwise he should run the risk of encountering a greater evil without being able to obtain that relief for his constituents which they sought. It had been said, that, at the meeting at which the hon. Member for Marylebone attended, there had been a gross misrepresentation of the conduct and motives of other Members. He was quite satisfied of this, that no person who attended that meeting, much less any hon. Member of that House, would condescend, for the purpose of obtaining the applause of the persons assembled there, to misrepresent the motives of others. In pursuing the course he did last year, he did so, conceiving it to be his duty, under the most painful circumstances. He acknowledged, as he always had done, that he set a great value upon the applause and approbation of those who, although not counted among the higher classes, are capable of forming a correct estimate of the proceedings of that House. He had their good at heart, their opinion he valued, but, above all, he valued it in the present instance, from a conviction that the means adopted by them were most likely to effect the object in view. With respect to a deficiency of the revenue, he differed from the hon. Member who preceded him. He should deplore a deficiency, as being likely to shake the confidence of the nation in the public engagements, and as being likely to increase the difficulties under which they at present laboured. Because, looking at the foreign relations of England, and the position which she should bear towards them, he (Dr. Lushington) should not like that any suspicion should be entertained that England was not rich or honest enough to maintain all her engagements. No man was more anxious to see all just and reasonable retrenchments practised. They could not forget that a great experiment was at present making respecting the abolition of slavery in the West Indies. He had entire confidence in the success of that measure. It would, in the first place, save the expense of troops in these colonies, and, in the second place, that which was more valuable—the loss of life which had been profusely squandered in those colonies, wherever they were unable or unwilling to protect themselves. He looked forward to that period as soon as those colonies should have completed the change which they were now undergoing, and then he would most willingly vote for a reduction in our military establishments. There was another subject most painful to him—he alluded to the present state and condition of Ireland. Would to God he so understood the condition of that country as to be able to devise measures for the preservation of its tranquillity, without the necessity of enforcing it by the presence of a large military force! He hoped, however, that would be done, and then again there would be an opportunity to reduce the number of troops, which would be infinitely creditable, not only to the revenue, but to the character of this country. He would not trespass further than by stating, that he cordially concurred in the petition, and to speak openly and candidly, he would vote for the reduction of the House and Window taxes whenever that question came simply before the House; but, if ever he should be placed in the same painful situation as he was last year, when there was a possibility that he would, by a contrary course to that which he then adopted, be doing a greater mischief—when, on the proposition to take off the Malt-tax, and substitute a Property-tax, the right hon. Baronet, the member for Tamworth (Sir R. Peel) declared that he would never consent to a Property-tax, without an Income-tax being appended to it,—then, and then only, he should, however painful to himself, feel bound to act again as he had before acted.

Colonel *Evans* would reserve his observations until the question came in a formal shape before the House. The hon. member for Marylebone had truly stated, that the existence of those taxes, and making their payments necessary to the retention of the elective franchise, had a tendency to produce corruption amongst voters. The House had had many instances brought before it, showing that that was the consequence; and many Members had been applied to to pay the taxes of electors to enable them to vote. It was true, that that part of the Metropolis from whence the petition came derived great advantage over other parts of the country, from the resisidence of the aristocracy; but it was also true, that the Metropolis bore a much larger share of taxation than any other part or district of the country. In local and direct taxes it paid as much as three millions; and Mr. Marshall, who published some tables under the authority of this House, had, in a note at the foot of one of them, observed upon the extraordinary irregularity which governed the imposition of those taxes. It appeared that the city of Westminster alone, with a population of only 200,000, was assessed to the House and Window taxes to a greater amount than Scotland with a population of 2,500,000; and it could not be denied, that the property in Scotland was ten times greater than that in Westminster. That partiality towards the aristocracy of that city, and towards the property of Scotland, could not, by possibility, be carried on without gross perjury; and he thought, although the Government did not deny that there was great inequality, they were liable to severe reprobation for allowing such proceedings to go on. With regard to the hon. and learned Member opposite (Dr. Lushington), it was to be regretted that his vote and conduct had been misrepresented, for very few Members of the House had rendered a more noble and generous assistance to obtain reform. But the hon. and learned Member's apprehensions with regard to a defalcation in the revenue were certainly fallacious. It was well known that this Government could go into the market at any time and raise ten or twelve millions without any difficulty; so that any trifling defalcation could be easily supplied, proving to foreign states, not the poverty, but the great resources of the country. As to the expense of the troops in the West Indies, he thought the force kept up there and in Ireland much too large. The inhabitants of Jamaica ought to provide a sufficiently armed military for their own protection; and, as to Ireland, he should like to know how the Government could justify their conduct in maintaining a larger military force there than their predecessors did under a very different line of policy. There was another point which he must not lose sight of. The metropolis was declining in its resources. The system of living among the aristocracy was more economical, and the establishment of clubs at the west end of the town—institutions which, by the way, he approved of—had tended much to lessen the expenditure of the aristocracy, and, therefore, to diminish the resources of tradesmen and shopkeepers. With respect to the symptoms of opposition to the payment of these taxes which had manifested itself rather strongly, he believed that, in many cases, it arose from utter inability to pay, and not from a spirit of opposition to the Government itself. Very severe consequences arose to those persons who were compelled to get together small sums of money at a given period; and when the tax-gather did levy, the consequences were literally ruinous; to raise the sum of 5*l.*, for instance, the loss of the family was very often not less than 20*l.*

Mr. *Sinclair* would not follow the hon. and gallant Member through all the topics of his eloquent but somewhat discursive speech: but he would be glad to know on what authority the hon. Member had stated, that certain Returns from Scotland could only be procured through perjury? This he could not believe, unless it were substantiated by positive proof. With respect to the grievances of the metropolis, he cordially felt for them, and had not rested satisfied with a barren sympathy, having voted on all occasions for the Repeal of the House and Window tax—a course which he still intended to pursue. The gallant Officer had alluded to one source of the lamentable decay observable in the prosperity of the respectable tradesmen and shopkeepers of London, and which was unfortunately not less perceptible in other towns and cities throughout the kingdom. He ageeed with the gallant Member, that the habits of the aristocracy and gentry were more economical than formerly, and that the great increase of clubs had very much diminished their expenditure, and tended to render their habits less domestic. But perhaps the chief source of that distress, which unhappily pervaded the middling classes in great towns, and which created general and just dissatisfaction, was, that such multitudes of those who derive their large income from their landed possessions in Great Britain and Ireland, or from the national treasury, are from year to year lavishing those resources on the manufacturers and artizans of other countries, which it was their duty to employ in the support and encouragement of domestic industry. If gentlemen were to ask, as he had often done when entering a shop, "Well, how is trade going on?" The answer would often be, "Oh, Sir, very badly indeed; what with local taxes, and public burthens, and low profits, and little demand, we find it almost impossible to make the two ends meet. It's a wonder, Sir, that any of us keep out of the Gazette. Our great people, Sir, are very different from those of other countries. We don't find the nobility and gentry flocking in shoals from France, Germany, Russia, and Italy, and taking up their residence in London, Dublin, Edinburgh, or Bath, purchasing British manufactures, and promoting the welfare of our mechanics. But as for many of our wealthy families, nothing English is good enough for them. Many of them screw all they can out of their tenants, or secure large salaries out of the public purse, and then hurry in such numbers to Paris, Rome, or other places, that the people there can't account for such influx of wealthy emigrants from this country without supposing that they are flying from an impending revolution. There they not only lay out large sums in the luxuries consumed from day to day, but bring back such a stock of foreign articles as may last them till they emigrate again; besides straining every nerve to teach foreign habits, and inculcate foreign maxims in their children." He could not be surprised that such selfish and anti-national conduct should excite feelings of disgust and alienation in the minds of the middle classes, on whose welfare and contentment, he felt persuaded, that the existence of our institutions must mainly depend.

Mr. *Ruthven* considered that the present subject was one of the most important brought under consideration during the Session. He would consent to abolish a tax that fell so heavily on the industrious and poorer portion as the one alluded to did. With regard to the substitute for this source of income to the revenue, he supposed that a Property-tax was the dernier resort to the Government, but he (Mr. Ruthven) could not vote for a Property-tax with an Income-tax at the same time. If the reduction were to be made in any such fertile source of revenue as the present tax, the best mode of meeting the deficiency would be, by a corresponding reduction of great establishments. The public faith should be supported; and the Exchequer stood now in the situation of a bank, which must either enter into a composition, or suffer bankruptcy. The great expences which at present oppressed the country should be diminished; an equitable arrangement of the public debt should be made, if possible; and in the now precarious state of the financial department, he did not see how it was to be done, unless by lowering the rate of interest paid on it. Such would be, perhaps, the safest mode of adjusting the desirable compromise.

Petition to lie on the Table.

CONDUCT OF BARON SMITH.] Mr. *O'Connell* rose, in pursuance of the previous notice he had given, to move for an inquiry into the conduct of Baron Smith, an Irish Judge. The hon. and learned Member said, that his object in the Motion he was about to bring before the House, was one which he was not presumptuous enough to imagine would engage the serious attention of Gentlemen not immediately connected with Ireland. It was, properly, an Irish question, and related to the liberties, property, and lives of the people of Ireland; and he much feared, that it was one of those which, for some reason or other, were considered to be beneath the dignity of that House. Did the Motion, with which he should conclude, relate to an English or a Scotch Judge, the discussion upon it would not probably occupy much time, as Ministers would not attempt to interpose between the Judge and the demand of the people for investigation. It was a great misfortune, that the Members of that House did not understand the situation of Ireland, and the importance of the subject in the minds of the Irish people. If, in this country, a barrister were to stand up in Court, and to say to a Special Jury, that the case they were about to try was one of the utmost importance, arising, say, out of a stoppage *in transitu* in a bankruptcy case, adding, that it was one in which the assistance of a Judge was particularly required, but that the interference of the Judge then on the bench could not be had with safety, and that if he interfered at all, it would be to do injustice to the parties;—if a Barrister in England had stood up and made such a declaration, every one would admit, that the Judge would be justified in committing him to prison for his contempt. But in Ireland, it seemed, it was far different, for in Ireland he had done that, and the only remark made by the Judge was, that he was a very comical fellow. His reply was, that he spoke more in melancholy than merriment,—that what he had asserted was well merited,—that the Judge did not dare to send him to gaol,—that what he had advanced was justified by the fact, and necessary in the discharge of his duty to his client. Yet, for nearly three years after he made that observation to the Jury, the same Judge continued on the bench of Ireland. He repeated, then, that the Members of that House were unacquainted with the state of Ireland, and grossly ignorant, or grossly careless, of the feelings and situation of the people. They left the administration of the law, therefore, in the hands of those whom it was impossible the people should respect, and in whom they could not place the slightest confidence. The case he had to bring forward against Baron Smith was of a double description: first, he charged him with the grossest neglect of his duty as a Judge; and, secondly, with endeavouring to compensate for his deficiencies as a Judge by becoming a violent politician. It was impossible, that any hon. Member could impute to him (Mr. O'Connell) any motives of partizanship or political enmity, because, when Baron Smith was in Parliament, thirty or forty years ago, he had voted for Catholic Emancipation. He was impelled, therefore, merely by a sense of duty towards the public, towards the people of Ireland, and towards his own constituents in particular. To the learned Judge, for his former conduct, all the Catholics of Ireland owed a debt of gratitude; but his late conduct seemed only calculated to reanimate, to aggravate, and inflame the religious animosities he had formerly endeavoured to extinguish. With the full sense of what he owed to Baron Smith, he was anxious to bring the case of one Irish Judge before the House, because it would operate beneficially as a hint to the remainder. In Ireland they remained so long upon the bench, that most of them were unable, from age, to discharge the duties imposed upon them. It was the worst economy to make the retiring salaries of Judges infinitely below the sum they received while they continued to act; and no money could be better laid out in Ireland, possibly in England too, than in annually devoting a sum to buying off Judges who had grown old and infirm, and were no longer competent to perform their duties. While the present great difference existed between the salary and the retiring allowance, the Judges would remain on the bench while they could sign the receipt for their salary. The first accusation he made against Mr. Baron Smith was, that he did not attend in Court scarcely any day before half-past twelve o'clock, or from that time to four o'clock; that his state of health was such that it enabled him to sit out the night; but did not allow him to rise by day. His hon. friend, the member for Monaghan, (Mr. Perrin) obtained a return last year, which, though there existed some defects in it, showed how completely unfit this judge was to remain upon the Bench. The clerks of the Crown had been directed to make out a return of the number of hours during which the Judges upon the Ulster Circuit had sat each day during the Circuit.

He, only, however, brought before the House the county of Armagh, and the county of Down. The clerks of the Crown had given these returns only from recollection, and yet, for the county Down, these returns showed that the judges did not sit in the Crown Courts sooner than eleven or twelve o'clock each day, bringing it down pretty fairly to twelve o'clock. Now, he submitted to the gentlemen whom he was addressing, that twelve o'clock was too late an hour for a judge to enter the Court. The return stated how many prisoners had been tried between six o'clock in the afternoon, and six o'clock in the forenoon; and they had for one county fourteen prisoners tried between those hours. The Judge had sat till six o'clock in the morning, and he was ready to prove, that the trial of more than one of those prisoners commenced after twelve o'clock at night. Could any thing be more disgusting to persons having regard for the decent administration of justice? What was the situation of the wretched prisoners? They were exhausted waiting all day, and rendered incapable of defending themselves. The jury were half asleep; the witnesses had all dined and refreshed themselves, till they were almost unable to give evidence. Criminals escaped, for, out of the fourteen prisoners only four were convicted. Was not this a state of things fit to be inquired into? The consequences of the irregular habits of the Judge, were not less fatal in the administration of civil justice. At the last sittings at *Nisi Prius* after Michaelmas Term, he (Mr. O'Connell) attended as counsel, and could state from his own knowledge, that Baron Smith usually came into Court at about twelve or one o'clock, and sometimes at half-past one. The consequences might be illustrated by what had happened in the case of a client of his. A merchant residing at Liverpool, had delivered a quantity of coals to a Steam Company at Drogheda, and ultimately was obliged to bring an action to recover the value of the coals. He brought over twelve or fourteen witnesses from Liverpool, whom he was obliged to maintain in Dublin, during the whole of the sittings, and at the end of them had the mortification of taking those witnesses back, without having had his cause called on, because Mr. Baron Smith never came into the Court till past mid-day. He might be told, that it was not the Baron's duty to try this case, but the duty of the Chief Baron. In the first place, Baron Smith ought not to have undertaken the task, unless he meant to perform it; and, in the next, it was not a matter of choice; for the Lord Chief Baron being ill, it was his duty to take his place, unless he was himself ill. But ill he did not pretend to be. He merely committed this outrage upon all notions of conducting business—an outrage which would not be endured in this country—in pursuance of what with him was a long-established usage. He once went circuit with Baron Smith. He recollected that the Judge who presided in the Civil Court was a very early riser, and generally went into Court so early as eight o'clock. Baron Smith seldom came into Court until half-past three o'clock. Thus he had time to attend to all the civil business in Baron Fletcher's Court, who generally rose at four o'clock, and was then in time for the criminal business in Baron Smith's court, where they generally worked away until three o'clock in the morning. In the Court of Exchequer in Ireland, Baron Smith seldom came into Court until a very late hour in the day. He then appeared to write a letter or two, and then generally went away, appearing to take very little trouble about the business that might be going on. He felt himself bound to claim inquiry upon these points. He did not think that the House could refuse that inquiry. But what would they think of the man, who having thus neglected his duties as Judge, invested himself upon the judgment-seat with the functions of a politician? It happened, that at the close of the last year, Mr. Baron Smith was appointed to preside at the Commission Court in Green-street. In Dublin, a Commission sits four times in the year, though here it sits eight times in the year. But in December 1833, it happened to fall to Baron Smith's lot to be appointed one of the Judges to open this commission. He begged to call the attention of the House to a consideration of the state of the calendar on this occasion. What was the fact? That in a population of upwards of 327,000, there were not more than about seventeen offences on the calendar. There were about four cases of cow stealing, three or four of petty larceny, three of pig stealing, a case of bigamy, and an attorney to be tried for swindling. Surely, if ever there was a case in which a Judge might feel himself at liberty to repose for the greater part of the day, this was one. He had no law to explain. There was nothing in any of the cases about to come before him calculated to require any lengthened or laboured exposition. But the learned Baron delivered a long charge, which, as he was prepared to prove, the Judge wrote out with his own hand, and sent to the newspapers. It was a long and lengthy essay, in which the Baron introduced every topic under Heaven but those which he might be expected to advert to. He talked of everything but the matter in hand—suggested that mistakes had been made by the measures of his Majesty's Ministers—answered speeches that had been made in Parliament—talked of, and praised the propriety of his active vigilance for the last three years, and went on to the utmost of his ability to revive and reanimate the religious animosities of that country. The learned Judge had been an advocate for Catholic Emancipation; that circumstance, so far from lessening the mischief of his conduct, was calculated to give his words still greater effect. He began by saying, 'Gentlemen of both 'Grand Juries—When the state of the 'calendar, or when (connectedly with the 'administration of justice) the situation 'of the country seemed to call for admon'ition from the bench, I gave utterance to 'what appeared to be requisite and useful.' He (Mr. O'Connell) called upon the Law Officers of the Crown to say, whether this was language which should be used by a Judge? Now, he admitted that the Judge had a right to address the Jury upon the state of the calendar, but nothing more. The Judge had nothing whatever to do with the state of the country. But the learned Baron went on to say, 'On the 'other hand, when no such necessity 'existed, I did not consider it as incumbent 'on me to go through the mere ceremonial 'of a charge; tendering to Grand Juries 'information of what, in fact, they knew 'already; stringing together a chain of 'nothings, and consuming time that might 'be more advantageously employed. Of 'the application of those rules, a conse'quence has been, that I have seldom 'charged Grand Juries during the thirty 'years, for which, in round numbers, 'I have had a seat upon the bench. To 'this silence there have been exceptions, 'occasional but rare. For example, in 'the last two years, I scarcely lost an 'opportunity for making some monitory 'observations from the bench. When 'the critical and lawless situation of the 'country did not seem to be generally 'and fully understood, I sounded the 'tocsin, and pointed out the ambuscade. 'Subsequent events deplorably proved, 'that I had given no false alarm. The 'audacity of factious leaders increased 'from the seeming impunity which was 'allowed them. The progress of that 'sedition, which they encouraged, aug'mented in the same proportion; till on 'this state of things came at length the 'Coercion Bill, at once to arrest the 'mischief, and consummate the proof of 'its existence and extent.' He (Mr. O'Connell) denied that it was the duty of a Judge to sound the tocsin; he ought not to become a bell-ringer. It was not compatible with the duties of his office, to expound politics from the bench, when it was his duty to administer law. He would ask the House of Commons, whether it was necessary that a Judge should become the political guardian of the State? [*Hear.*] An hon. Member cried "hear," in admiration of that passage, but he forgot that the very person who uttered it might be called upon to try the factious leaders. A prisoner brought before Mr. Baron Smith under such circumstances was in the situation of a man playing against a gambler who used loaded dice—the Judge appointed to try him would have already condemned him. He was obliged to the hon. Member whose cheer had elicited these observations. The learned Baron went on to say, 'Two years 'ago I very unequivocally pronounced, 'that tithe resistance was but one of three 'Cerberean heads, of which rent and 'tax-resistance formed the other two; 'that law, property, and the Constitution, 'where, in fact, what this triple monster 'bayed, and would, if placed within its 'reach, devour; but that a force less than 'Herculean, if applied with firmness, and 'in time, would drag him into light, and 'tame him into submission; and withal, 'that he would be far more surely quelled 'by coercion than by sops.' There was an admission on the part of the learned Judge, that he had been a politician two years ago. He asked, if it were fitting in a Judge of the land to be making these observations about tithes, rents, and taxes, and attributing to individuals motives of the worst kind? Was that judicial? Was that the proper conduct of a Judge? [The hon. and learned Member then read another extract from the learned Baron's charge—where he declared, that the Constitution had been defunct in Ireland—and he expressed his happiness at his warnings being attended to by the Government, and a loyal public.] He would have the whole of the charge read by the Clerk at the Tables. He would shortly state what it contained, and read one or two passages more from it. Not content with this, the learned Baron next attacked his hon. friend, the member for Drogheda (Mr. O'Dwyer) for having said in that House, "that Baron Smith would sacrifice truth at any time to antithesis." He then took up the cudgel for his learned brother, Baron Pennefather, and said, "that any one who impugned that learned Judge's motives, or canvassed his conduct, would be doing wrong," and then he proceeded to justify the actions of that gentleman. Now, all that might be very good for a political dinner speech, or a contested election speech from a window, or a house-top, or the hustings, no doubt it would; but that happened to be exactly the reason why it was, of all others, the description of language most unfitted for the mouth of a learned Judge seated on the bench. Baron Smith then went on to discuss the right of the subject to petition Parliament; and complained, that the conversations which occasionally took place in that House were calculated to degrade the dignity of the judicial bench. What sort of language was this for a Judge. The bench were responsible to that House. It was an important part of the duty of that House as Representatives of the people, to watch over the due administration of justice; and more than all to see that its source was untainted by prejudice. If then the House believed what he had already stated, respecting the hour of the night when the Judge in question usually thought fit to enter on the trial of capital felony, was it not, he would ask, a dereliction of duty in them if they did not exert their utmost vigilance on the subject? The learned Baron continued, 'Let all 'who thought it expedient further to de'grade the dignity of the already mob'disparaged and affronted law—and, for 'example, to render a judicial office, one 'which no eminent Barrister, who could 'ably discharge its duties, would look up 'to as worth acceptance—let all who held, 'that shabby parsimony must conduce to 'public good—consistently stickle and 'petition for the impoverishment of the 'bench.' It would be remembered, he had no doubt, by the House, that a Motion for reducing the Irish Judges was then before it. This was an allusion to it, and a strong one it was. The Baron then went into a long statement of the objects of those exerting themselves to procure relief for the country, and said, 'Tithes, 'rates, rents, salaries, privileges, old insti'tutions, and establishments, public taxes! 'I will stop here — [the hint was not 'insignificant.] But will those to whose 'aims I am adverting do the same?—Not 'of themselves I am afraid. But the 'wisdom of our Government, and the 'vigour of our law may discountenance 'their temerity, and with a firm hand arrest 'their progress.' The Baron pointed out a Cabinet Minister as concurring in the conspiracy to get rid of rents and tithes, and then went on, 'I conceive the epi'demic of our day to be a turbulent 'abuse of the valuable right of petition; 'making it a channel for the conveyance, 'not of submissive prayer, but of refractory 'invective, and insolent dictation. This 'abuse seeks to turn that which it so 'distorts (as was done about two centuries 'ago) into the means of demolition; and 'which Shakspeare, I think, has called 'hurly-burly innovation. An appetite for 'this latter, seems the main spring of 'insurrectionary movement at the present 'time; while those who instigated it, 'might be turning the restless impulse to 'purposes more regular and systematic, 'and more their own. But they could 'not ride the whirlwind, if the wisdom of 'our rulers would not suffer it to rise— 'nor could they direct and point a storm 'which that wisdom would have allayed. 'Had he exaggerated the distortions of 'the right of petition at the present day?' But that which he (Mr. O'Connell) most specially objected to was this passage, 'The Catholic party in this country have 'got all they want as a particular body or 'persuasion. Why, then, such language, 'and such efforts by their clergy? 'Why such abuse of ours, and of our 'Church and faith? Why such loud 'delight at a diminution of the number 'of our Bishops?' The latter clause of the sentence, he would take leave to say, was the contrary of the fact. The Catholics of Ireland did not rejoice at the diminution in the number of the Protestant Bishops, for this reason, that it did not afford them any relief from their burthens, while it lessened their resources, as the income of these persons would be no longer spent among them, and it would be remembered, he trusted, by the House, that he had been one of the first to stand up and exclaim against it. But the learned Baron added, 'Why such satisfaction at the 'wane of Protestant seminaries and edu'cation, and at the proceedings against 'bodies supposed to be animated by a 'Protestant spirit, and to cherish and 'sustain it? Why, in short, such a 'symptom of exultation at everything 'that then seemed calcalated to de'press the Established Church, and to 'raise the Roman Catholic religion on its 'ruin? The Catholics (said the Baron) 'are triumphing over you, they delight in 'the diminution of your Bishops; they 'exult in the wane of your establishments, 'and the decline of your education so'cieties.' This was the part of the charge which he had specially objected to, because it did not become a Judge to be a politician in the first instance; and of all things, did it least accord with the faithful and impartial exercise of the high functions he was daily called on to perform, to be a polemic as well as a politician. Why should the bench, sacred to justice and right, be made the arena for political and polemic discussion? Was it to be supposed that the interests of the Protestant wealthy, and the Catholic poverty stricken, portion of the community, could be equally balanced by any man, who, from the judicial bench, in his capacity of a Judge, could propound such sentiments, and make such monstrous assertions? Would it be permitted by that House, that any Judge should sound from his high seat the tocsin of religious animosity, and excite, by his language, to strife of the worst, because of the most remorseless description—calumniating the Catholic clergy and the Catholic people, who were not before him. It was quite clear that the language was that of a scholar and a clever man, but it was just the sort of language which was calculated to revive the dying embers of religious animosity in Ireland. He would put it to the House, what it would do, had a Judge in England thus expressed himself. He would ask any Member, how he would have voted upon a question for inquiry in such a case? Had it been the first, the ablest Judge upon the bench, he would not have been screened from the consequences of such conduct. Had he deserted his duty to sound the tocsin of political and religious strife, no Member in that House would have got up to defend or justify, or explain away his conduct. And was he to be told, that this had occurred in Ireland?—That it was only the liberty and lives of Irishmen that were affected by such charges as these? Would the House allow the Government, on this plea, to stand between this man and inquiry? Upon what principle could inquiry be resisted? Would it be by denying the hours at which this Judge sat to try prisoners? That he pledged himself to prove. Would it be by affirming that politics, and such politics too, befitted a Judge? That could not be; it was impossible to suppose such a justification. The Government, and the House, could not refuse to take away from the Irish people the notion that their liberty, and property, and lives, were placed in the hands of these fierce political partizans. Would the House, he again asked, refuse him a Committee of Inquiry? It might be said, that compassion should be shown to a gentleman of Baron Smith's age. Why, if his (Mr. O'Connell's) complaint were one for mere neglect of duty, there might be some reason in that, but it was of the opposite description. His complaint was not against the Judge for inactivity, but for his introducing activity where he ought to be passive, and showing himself a partizan where he ought to be impartial. What was to become of the Judges if conduct like this should be tolerated? The Judges diffused the waters of healing through the land, when they administered justice with impartiality; but when they became the partizans of faction, and the ministers of passion, they diffused nothing but streams of the most noxious and deadly character, producing infection and death. Oh! it made men reckless when they felt that there was no impartial protection for life and property. Come forward with a Coercion Bill, and blame the poor peasant because he took the law into his own hands, and inflicted that punishment which he could not expect at the hands of his Judges! Could they blame the peasant for shedding the blood of his fellow-man, though in an unjust, unjustifiable, and execrable manner? To whom were they to go? But, perhaps, the Government would take another ground, and say, that there was great partizanship in Ireland, that there was much rancorous feeling there. He would concede that. But, there should be one green spot kept sacred—the judgment seat. What should be the conduct of the Judge?—It should be to put down such feelings—to judge impartially between parties—between those engaged in the bitter strife. But, if, instead of that, the sacred functions of the Judge, and the majesty of the law were to be desecrated—if the Judge were to pollute his robes, and then throw them off, to assume the riband of partizanship—what could possibly be anticipated but the most fearful consequences? Let the House refuse the inquiry, however, and he (Mr. O'Connell) would taunt them with this—that he had brought a strong case before the House; and they had refused an inquiry into the facts, though, if true, they were most important in their consequences. But why should the House or the Ministry object to inquiry? Why should the Government steep their characters in the filth of this political disquisition from the bench? Perhaps the report of the speech he had referred to exaggerated the truth; perhaps it had not been sent to the newspaper by the Judge himself, though that he had pledged himself to prove; still he only asked for inquiry; a triumphant acquittal for the Judge, if he had stated what was wrong; an adequate punishment for the Judge, if he were right. The hon. and learned Member concluded by moving, "That a Select Committee be appointed to inquire into the Conduct of Mr. Baron Smith, in respect to the discharge of his duties as Judge, and to the introduction of Politics in his Charge to a Grand Jury."

Mr. *O'Dwyer*, in seconding the Motion, begged that the House would allow him to explain a part of the learned Baron's charge affecting him. He had never accused the learned Baron of deliberate falsehood, although it was possible that he might have used a word resembling that in sound. But he said, distinctly, that he had never made such an assertion. He believed the noble Baron to be incapable of sacrificing truth to any thing.

Mr. *Littleton* said, that it had not been his lot, during the time that he held a seat in that House, to take part in a discussion which gave him so much pain as that which the hon. and learned member for Dublin had opened. When the hon. and learned Gentleman gave notice of his Motion, it was expressed in terms to which he could not be brought to accede. As entered upon the Books, the hon. and learned Gentleman's Notice was, to move for a Committee of Inquiry, with a view to the removal of the learned Baron from the Bench. If the hon. and learned Gentleman had persevered in bringing forward a Motion in the same terms, he should have felt it to be his duty to oppose it; but after the Motion had been made in such terms as the hon. and learned Member now expressed it, it was due to the people of Ireland, to the character of the House, and to Ministers, to concede the inquiry. In abstaining from all opposition to the Motion, he felt the greater pain, because his hon. and learned friend opposite (if the member for the University of Dublin would allow him to call him so), animated, no doubt, by a feeling of kindness to Baron Smith, and having a full conviction that this was a case of unnecessary hardship, had asked him, what course he should take in respect to the Motion of which the hon. and learned member for the City of Dublin had given notice; and he, looking to the terms in which the notice was expressed, did say, that he would oppose the Motion, although he spoke at the same time in terms, he would not say of severe, but of sincere, animadversion of the conduct of Mr. Baron Smith. But, after the evidence which he had heard, he could not now persist in that intention. He certainly was aware of the Return moved for by the hon. and learned member for Monaghan; but he had not had, till that moment, an opportunity of seeing it, and was not before aware of the nature of the evidence it contained, or how far the learned Baron had carried his practice of sitting late. There could not, possibly, be any doubt, that it was highly expedient, for the due administration of justice, that the sittings of Judges on their circuits should begin early in the morning, and close early in the evening; and that no man ought to be put upon his trial at a late hour. He should not deem it necessary to say more on this subject. With respect to the charge of Baron Smith to the Dublin Commission, at the commencement of Michaelmas, he must say, that he was ready to subscribe, in a great degree, to the opinions expressed by the hon. and learned Gentleman. As the hon. Gentleman had gone through that charge, he should not make the observations upon it that he had intended to do. It consisted of three closely-printed columns, filled with taunts of vituperation, which left no doubt of the spirit in which it was delivered. They all knew, that in Ireland, crimes occurred of a description which might call for observations from the Judge, of a political character. Party processions, white-feet, and other outrages of that description, might fill the gaols, and load the calendar with crimes of a nature which made it imperative on the Judge to give his charge something of a political character. Even the Gentlemen who might most object to the nature of those observations, must, upon consideration, feel that such was the case. Perhaps, too, the frequent occurrence of such occasions in Ireland, had induced too much of a habit in Judges there, to mingle political feeling in the administration of justice; and it was the tone and language which was thus induced, that constituted the chief difference between the conduct of English and Irish Judges. There was one part, in particular, of the learned Baron's observations, to which he could not help adverting. Speaking of the great body of the Catholics, the learned Judge said; "Again, quite independent of its faith, what is this universal people? Does it embrace the property, rank, education, intelligence, or merely the physical force, or vulgar numbers of the country. Now, for a learned Judge, on opening the Commission, and, in the King's name, inaugurating the solemnity of the Assizes, to make observations of that kind in a country, six-eighths of whose inhabitants were Roman Catholics, was, certainly, in the highest degree improper. Was it possible for any Roman Catholic gentleman, after hearing himself thus charged, to do otherwise than withdraw himself from the task of serving his country, as a juror? There was, he was convinced, no Roman Catholic gentleman in Ireland,—and the Roman Catholics, he again repeated, formed six-eighths of the people of Ireland,—there was no gentleman of that persuasion, nor was there a gentleman of any other persuasion whatever in that country, could avoid reprobating the Judge who would make the Bench the vehicle of political feelings. There was no person who more particularly reprobated any such allusion to political subjects from the Bench than he did; and he was convinced that the Government, with which he acted, had the same feeling. If every Judge arrogated to himself the right to pronounce opinions on political subjects, he agreed indeed with the hon. Gentleman, that there would be an end of the confidence which the peopl should have in the impartiality of the seat of justice. It had been his intention to oppose the Motion of the hon. and learned Gentleman, but it was now so put, and the feeling of the House was so decidedly favourable to an inquiry, that he should not be disposed to throw any obstacle in the way. The calendar before the Grand Jury was evidently not of that description: it contained not those instances of political delinquency which might justify the Judge in making the observations the hon. and learned Member alluded to. He regretted that the hon. and learned Gentleman had made some remarks with reference to the Irish peasantry. Whatever the character of the peasantry might be, he was convinced that they had a just sense of the administration of law; and he agreed that it was right that this sense should be nourished. There was another observation of the hon. and learned member for Dublin in which he could not in any degree concur. The hon. and learned Member had seemed to throw an imputation upon the Judicial bench generally in Ireland. The hon. and learned Gentleman had, it was true, better opportunities of knowing those learned personages than he had; but it was only justice to them to say, from every thing which he had known, and from every thing he had heard from others, that, as a body, they were not in any degree inferior to the English Judges in integrity and independence. He did not feel it necessary to trespass further on the House, but would conclude by repeating, that, under all the circumstances, he would not throw any impediment in the way of the inquiry sought for by the hon. and learned Member. But, in making this concession, he begged it to be understood, that he was convinced the inquiry would tend to exonerate the venerable Judge from all political feeling inconsistent with his solemn functions.

Mr. *Shaw:* The right hon. Gentleman, the Secretary for Ireland, had said, that he felt himself placed in some difficulty on the present occasion. He was certain the House felt the peculiar embarrassment of his (Mr. Shaw's) situation in no slight degree, having to vindicate the conduct of the eminent and distinguished Judge, the subject of the present discussion, from the vituperation and abuse of the hon. and learned member for Dublin. With respect to the first charge relied upon, as to the hours at which Baron Smith sat in court, by a return which was moved for last year, it appeared that, on the average, Baron Smith generally sat, throughout the assizes, from about eleven, or half-past eleven, in the morning, and rose about six, or seven, in the evening, the only exception being the case of Armagh,—there, certainly, inconvenience was experienced to this extent, that it became necessary to try prisoners during the greater part of two nights, although it did not appear, that many trials commenced between six in the evening and six in the morning. The necessity, however, arose from the nature of the business of the circuit; the calendars of Armagh and Monaghan, the next preceding assize town, having greatly increased after the lists had been sent up to the Judges, and the days for opening the several Commissions had been fixed. The return was necessarily imperfect, inasmuch as the persons who made it were obliged to qualify it by saying, that, never having been employed before in watching over the conduct of a Judge, they could not state the circumstances exactly, but only from recollection. The Armagh return, however, stated that the time originally appointed for opening the Commission in that county was ten o'clock on Thursday morning. It was afterwards altered in consequence of a letter written by the Judge from Monaghan, to the High Sheriff of Armagh, in which he stated, that he could not attend until three o'clock, in consequence of a press of important business at Monaghan; Baron Smith being obliged to remain for the purpose of assisting his brother Judge in disposing of the business there; and then Baron Smith had to sit at Armagh till seven in the evening of the day on which the Commission of the next county (Antrim) had to be opened, at ten o'clock, by the Chief Justice; and Baron Smith had a journey of twenty-five miles to make after leaving the bench that evening. Let no man think that he was advocating late hours: quite the contrary. In his own inferior tribunal he had introduced earlier hours; but, although he might not approve of the practice, it had prevailed for a length of time in Ireland; and the fact was, that, at present, the Judges of the superior Courts never began business until eleven o'clock. His own individual opinion was, that it would be better to begin at nine or ten; but he was quite sure the practice had existed as long as the hon. and learned member for Dublin could recollect. Why, then, should the House throw upon Baron Smith the blame of a system which long usage had established? And supposing that Baron Smith was somewhat later than other Judges, was that to be made a serious charge, amounting to a crime, against him? Was that the way to support an independent, judicial tribunal, and uphold the Majesty of the law? Because a Judge might sit at a somewhat later hour than the Members of that House might think expedient, was he, therefore, to be held up to the country as a delinquent? He saw, on looking over the returns,—which, he must say, with every respect for the hon. and learned member for Monaghan (Mr. Perrin), that the persons who made them, and who were responsible for them, evidently considered that they were discharging a most unusual and disagreeable duty,—a sort of espionage on the conduct of the Judges, whose officers they were; however, as he (Mr. Shaw) had before observed, the average hours during which the returns extended were from eleven, or half-past eleven, in the morning, until six or seven in the evening, with the single exception he had already stated. And was that a sufficient ground for directing against the judicial bench that reproach which must attach to it, if this Motion were agreed to?—a Motion obviously intended to disparage and control the Judges, and the administration of justice in Ireland. With respect to the learned Baron's charge, the hon. and learned member for Dublin said, that he was compelled, by a sense of duty, to bring the matter before the House, and, by the forms of the House, he (Mr. Shaw) was bound to give him credit for sincerity in making that assertion; but the plain truth was, that the proceeding amounted to nothing more or less than the advocacy of agitation, on the one hand, and the support of the judicial bench, faithfully endeavouring, under many difficulties, to suppress that agitation, on the other; and the House now saw on which side the

Government of the country had placed itself. A great deal had been made of the circumstance that the calendar was very light, that there were, in fact, only seventeen prisoners for trial. Baron Smith assigned that as the very reason why he entered into more general topics. He alluded to the audacity of factious leaders, and the progress of that sedition which they inculcated; he endeavoured to trace the crimes which had been brought before him judicially to their true source, and to warn the deluded instruments of agitation against the factious and designing promoters of it; and although it was true that there may not have been at that particular time, any cases connected with seditious or unlawful conspiracies before him, still the fact was, that on the very last occasion of his presiding at the Commission, there had been several persons tried for tithe conspiracies, and who were then undergoing the punishment of the law. Under these circumstances, the learned Baron felt it not out of the sphere of his duty to warn others against similar proceedings, and becoming the dupes of those who would first mislead, and afterwards betray them. Baron Smith says, in the course of his charge, "So far as is connected with the due control and influence of that with which I have most concern, the law, I conceive the epidemic of our day to be a turbulent abuse of the valuable right of petition, making it a channel for the conveyance, not of submissive prayer, but of refractory invective, and insolent dictation." The learned Judge applied the observations to petitions against tithe, the meetings for which had led to convictions which had occurred before him at the preceding Commission, described in a paper, to which he alluded, "as the war-of-tithe petitions," and calling upon the same deluded victims of agitation, "to prepare for the war-of-repeal petitions." Let the House take into consideration the different state of Ireland as compared with England; for on the difference of the situation of the two countries turned the whole question. Insubordination, insurrectionary tendencies, unlawful conspiracies, and seditious devices, were the great evils of that country—evils which his Majesty himself found it necessary to point out, and allusions to which were to be found in the last two speeches from the Throne. He (Mr. Shaw) would ask, in such a country, was it unbecoming a Judge to raise his warning voice, and to caution those who would naturally attend to advice coming from so high a station? What were the terms in which his Majesty expressed himself with regard to Ireland in the speech of last year? "In this part of the United Kingdom (His Majesty is made to say), with very few exceptions, the public peace has been preserved."—"But it is my painful duty to observe, that the disturbances in Ireland, to which I adverted at the close of the last Session, have greatly increased. A spirit of insubordination and violence has risen to the most fearful height, rendering life and property insecure."* The hon. and learned member for Dublin had said, that the learned Judge had insinuated that the hon. and learned Member had caused the state of things which was here lamented. He despised quibbling, and though the hon. and learned Member was not mentioned by name, he would freely admit that in his opinion, the learned Judge did mean to imply, that to the hon. and learned Gentleman's agitation may be ascribed many of the evils which unhappily exist in Ireland. His Majesty continued—"defying the authority of the law and threatening the most fatal consequences if not promptly and effectually repressed."† Then again his Majesty in the speech of this year said—"To the practices which have been used to produce disaffection to the State, and mutual distrust and animosity between the people of the two countries, is chiefly to be attributed the spirit of insubordination which, though in a great degree controlled by the law, has been perceptible in too many instances."‡ His Majesty then required—"the united and vigorous exertions of the loyal and well-affected, to put an end to a system of violence and excitement which is destructive of the peace of society."§ And yet because a Judge of the land acts in the spirit of that requirement and uplifts his warning voice against the very mischief denounced by his Majesty; and, though not a fortnight had elapsed since that sentiment had been responded to by the House, he was to be dragged, as a criminal, to their bar. The fact was, that, in Ireland, the violence of the open agitator, as well as the wit and ingenuity of the subtle casuist, were incessantly employed in violating the spirit, while they evaded the letter, of the law; and when the Judges of the land found the law thus becoming a dead letter in their hands, were they, then, to slumber at their posts, or patiently and silently to look on while the true spirit of the law was mocked? While agitation was leading to actual crimes, were they to suffer the miserable dupes of violence and artifice to be exposed to punishment, by their almost unwilling judgments, and not to exclaim with Baron Smith (which is the head and front of his offending), "I abominate the misleader, while I pity the misled?" What does his Majesty say in the Speech, on the opening of this very Parliament?—He says,—"I have seen with feelings of deep regret, and just indignation, the continuance of attempts to excite the people of Ireland to demand the Repeal of the Legislative Union." The right hon. Gentleman (Mr. Littleton) was asked the other night, whether he thought that agitation led directly to the perpetration of crime?—and he said, he thought it did; and yet, was it to be a crime in those who were the depositories and administrators of the laws to utter the same sentiments? If the means used to promote a Repeal of the Union were not unlawful, why put indignation in the mouth of his Majesty? and if they were, why this truckling servility?—why the despicable concession of his Majesty's Ministers to the avowed leader of that agitation, when the question had been now fairly raised by him, whether he or the laws were the stronger? But he believed this case might be stated in a few words. It was not, he presumed, intended to impugn the moral character of the learned Judge. The hon. and learned Gentleman did not, he believed, charge Baron Smith with being guilty of any corruption, or of partiality. Could the hon. and learned member for Dublin lay his hand on his heart, and say, in sincerity, that Baron Smith was a corrupt or partial Judge? He utterly defied the hon. and learned Member to do so. The hon. and learned Member had mentioned one circumstance, which partly accounted for the vengeance he directed at the learned Judge. Baron Smith was once, when a politician, the friend of that party to which the hon. Gentleman belongs; the able and consistent advocate of Catholic Emancipation; and it did so happen, that, if any of those persons who had been in any degree on his side, would not altogether submit to the iron rule of his direction, they became the objects of his more virulent hostility than even his open and avowed opponents. He would refer for an illustration of the truth of this position, to the hon. member for the county of Wexford, and, also, to the hon. member for the county of Dublin. These hon. Gentlemen were known to be, what he might, perhaps, consider, agitators, generally acting on the same political views as the great agitator himself; but because they would not consent to chain themselves to the chariot wheels of that very agitation which he was driving, and be dragged through all the mire of his course, the hon. and learned Member had treated them with more harshness, more abuse, and more invective than he had ever visited upon his political opponents. But there was another, and a more important reason, why the hon. and learned Gentleman had brought forward the present Motion. The fact was, that the hon. and learned Gentleman, at least, acted a consistent part. Within the last two nights, he had attacked the Magistrates, and impeached the Juries, and now he arraigned the Judges of Ireland. The hon. and learned Member could brook no authority,—he was impatient of all control; and he was receiving the support of his Majesty's Ministers to trample under foot the Judges and the laws of the land. He asked the right hon. Gentleman—not that he should approve of every particular phrase or expression in the charge of the learned judge, but laying aside all special pleading and mere distinctions of form, whether this matter did not resolve itself into this simple question (and so it would be understood by the whole of Ireland), that the hon. and learned member for Dublin had been not by name, but by description, pointed out by the Judges of the land as doing infinite mischief to the laws of the land—that the hon. and learned Member in return had assailed the Judicial Bench of Ireland in that House, and that the Government of the country had lent him all the aid of their countenance and support. The Committee which sat to inquire into the state of Ireland the Session before last, quoted the charge of Mr. Baron Smith with approbation, and printed it in their appendix. The nature of that charge was the same as that which had been quoted by the hon. and learned Gentleman that night. It was also quoted by the Law-officers of the present Government with equal approbation—and he found in this very report that Chief Justice Bushe spoke in terms of the most unmeasured praise of the learned Baron, whose conduct was now impugned in his efforts to put down agitation, and to preserve the peace and security of Ireland. That eminent Judge (the Chief Justice) in his address to the Grand Jury of the Queen's County, observes—" Under these deplorable circumstances, many duties devolve on you as Grand Jurors, Magistrates, and country Gentlemen, upon which it would be proper that I should address and exhort you; but you have lately heard," said the Chief Justice, referring to the charge of Baron Smith, " an appeal from this Bench upon all those topics which you cannot have forgotten—an appeal carrying with it a weight, instruction, and persuasiveness, upon which, placed as I now am, I am not left at liberty to say more, than that I will not, by a worse than useless repetition, run the risk of effacing the profound impression made upon your hearts and understandings." Feeling themselves placed in a highly responsible station, Judges had been called upon to do that in Ireland, which, under the different circumstances of the countries, might be unsuitable to England, but which he could easily show had, under similar circumstances to those existing in Ireland, been practised in the earlier periods of the history of England. The first impression on the mind of a Judge when addressing a Grand Jury in Ireland, was the difficulty he experienced in entering upon topics which, under other circumstances, might not be considered strictly within the sphere of his duty. The Chief Justice, in the same charge to which he had already alluded, said—" But it does belong to this place to lament that those delicate questions which the wisest statesman or lawgiver would approach with fear, or touch with a trembling hand, should be subject to the rude decision of a misguided and infuriated peasantry." Chief Justice Bushe thought it was not irrelevant to advert to such topics, while he observes—" We must pity such infatuation; but it is not the causes we have to think of here, but the effects. Crime and misery, those inevitable consequences of popular licentiousness, both abound amongst you, and are traced as you will see, through all the means which have been always adopted by the insurgents for accomplishing their objects." The Chief Justice then adverted to the means of remedying these evils—" It is quite plain (he said) that ordinary laws calculated for civilized communities are not applicable to a country so circumstanced; and one of the most lamentable consequences which the offences of the people have produced is, that they have brought down upon their own heads the sanctions of a code enacted expressly for the purpose so uncongenial to our Constitution." The Chief Justice was alluding to the Whiteboy Code. The existence of the Coercion Bill itself tended to show the immense difference that existed between the state of England and of Ireland. Did not this then justly call for observation on the part of a Judge, although the particular crime did not appear upon his calendar, when he knew that the great bane of Ireland was, that while the real delinquent did not violate the letter of the law, he triumphed over the spirit of it with impunity. Again, he would say, the question before the House substantially was this, whether his Majesty's Government, by whom agitation had been emphatically denounced in words, and who had now the opportunity to oppose the objects of its leading advocate, nevertheless, took part against the laws and their supporters, and in favour of that hon. and learned Gentleman? With great deference to the right hon. Secretary for Ireland (Mr. Littleton), he could not refrain from saying that what had just occurred was but a picture of the whole system of the Irish Government. All persons in authority whose desire it was to maintain order and support the laws, had not more to apprehend from the political agitation and power of the violent demagogue on the one hand, than from the political pusillanimity and feebleness of the Government on the other. He was also willing to bear testimony to the personal politeness and courtesy of the right hon. Gentleman the Secretary for Ireland—but he must say, and he knew that the right hon. Gentleman would pardon the observation, that politeness and courtesy alone were not sufficient to manage the difficult Government of Ireland at the present moment.

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* Hansard (third series), xv. p. 89, 90.

† Ibid. ‡ Ibid. § Ibid.

It was with as much regret as sincerity that he made this further observation, namely, that the Government of Ireland did not possess the confidence of any party or class of persons in that country. Their conduct justified the result. They boasted, indeed, of acting with firmness and vigour, but he would, with all submission, ask wherein that vigour and firmness had been displayed? He had heard but two instances adduced, since the last Session of Parliament, and in both those cases it was admitted that they inflicted the punishment upon those who had not been guilty of the offence. In one of those cases their plea was, that they could not find the real delinquent, and they, therefore, proceeded against an individual who was only technically concerned in the offence. It was perfectly notorious that the individual who was alone guilty seized upon the occasion of the trial to beard the Government and the laws, and with an effrontery that, in justice to him, became the advocate and the defender of the published libel of which every body, except the Government, was convinced he was the author—used the opportunity greatly to aggravate and give publicity to the seditious matter it contained. The other proof of the vigour and firmness of the Irish Government to which he alluded, was the dismissal of a highly honourable and respectable Magistrate of the North of Ireland, the offence being committed by the wife of that gentleman, who wore, in the retirement of private life, a ribbon not of the proper and agreeable colour to his Majesty's Government. These were the instances of that vigour and firmness of which the right hon. Gentleman had so loudly boasted, and they had here an additional one in his conduct that night—conduct which ought to forfeit for him the confidence and good opinion of every sober-minded and rational man in Ireland. He would repeat it, that the Irish Government was without, and was undeserving of, the support or confidence of any part of the Irish nation. They were that night lending themselves to the cause of the hon. and learned member for Dublin in his efforts against those who had felt it their duty to oppose agitation, from a conviction that it led directly to the commission of crime, and who had done no more than what his Majesty's Ministers advised in the Speech from the Throne. He could not, on the present occasion, avoid referring to the observation made by our late reverend Monarch George 3rd, with respect to the independence of the Judges. He did not think there ever was a period when the independence of the Judges was more important than now, or when a more fatal blow was aimed at it than by the joint act of the hon. and learned Member and his Majesty's Ministers that night. It was in vain that the law declared "the independence and uprightness of the Judges as essential to the impartial administration of justice, as one of the best securities of the rights and liberties of the subject, and most conducive to the honour of the Crown." It was useless that the seat of justice should be independent, and guarded against the prerogative of the Crown on the one hand, unless it was equally free from the assaults of popular agitation and the influence of democratic power on the other. He would ask, in conclusion, was there the slightest imputation of corruption, of partiality, of oppression, or any species of criminality made against Baron Smith? If there were, then let every investigation take place. He should be the last man to oppose an inquiry, but where there was not, and could not be the shadow of a shade of corruption imputed against the learned Judge, he charged the Government with abandoning their highest duty in acceding to the Motion. He would tell them that they had granted the inquiry from a pusillanimous concession to the power of the hon. and learned Gentleman before whom they quailed, and every individual of every party and class in Ireland would believe, as was the truth, that they had not the spirit or the manliness to do their duty.

Mr. Secretary *Stanley* was sure that the hon. and learned Gentleman who spoke last, would admit, that he, at least, was not in the habit of yielding systematically to the representations or motions of the hon. member for Dublin. He was not, he hoped it would be acknowledged, generally actuated by a desire to promote the views of that hon. and learned Member, or at all disposed to hesitate in opposing him, whenever the occasion rendered opposition necessary. He much regretted that any attempt should have been made to render the present a party question; it ought by no means to be viewed in that light, and he must confess that the tone adopted by the hon. and learned member for the

University of Dublin was not without its weight in determining him as to the course he should adopt. Whatever doubt existed in his mind when he came down to the House, as to the present question, it had been more completely dissipated by the advocate of Mr. Baron Smith, than by that of his opponent. He begged in the first place, most particularly to remind the House, that those who assented to the proposition of the Mover, did not at all admit that a case for removal had been made out; on the contrary, all which they would acknowledge was, that a case for inquiry had been laid before the House. He hoped that the hon. and learned Gentleman, the member for the University of Dublin, (Mr. Shaw) would forgive him if he repeated that he was more influenced to vote in favour of the Motion by the speech which the hon. and learned Gentleman made in defence of Baron Smith, than by the accusation. He begged further to say, that nothing could be more evident, than that the advocate of the learned Baron was throughout labouring under the consciousness that he had to prop up a weak cause. Instead of confining himself to the question properly before the House and in reality supporting the dignity and the independence of the Judges of Ireland, the hon. and learned Gentleman made the question a political, a party one, wandered into a general attack upon the Government, and almost lost himself in declamation. The hon. and learned Gentleman had said that, on the one side, the Judges and the authorities in Ireland were opposed by all the strength and violence of agitation, and that on the other, they had only the support of political pusillanimity. Now, he (Mr. Stanley) would say, that the great evil in Ireland was, that ungoverned and blind violence was opposed by ungoverned and blind violence, and that the Government had to deal with materials discordant and almost impracticable. But, in support of his attack upon the conduct of the Government, the hon. and learned Gentleman had alluded to two particular cases, and he had tauntingly spoken of them as exemplifying the vigour and firmness of the Government. Now, what were those cases? He was ready and willing that they should be examined into. They were not according to the representation of the hon. and learned Gentleman. If the hon. and learned Gentleman as a lawyer would take upon himself to say—if he would stake his reputation as a lawyer upon the opinion—that the Government possessed, or could obtain, legal evidence against the individual alluded to, then, but not before, would he acknowledge that the charge of the hon. and learned member had some foundation. Until the hon. and learned Gentleman, as a lawyer, could prove that, it would not be exercising the fairness which as a member of that House he ought to exercise, were he to continue to censure the Ministers for not doing that which he knew was out of their power. As to another question which had been raised, respecting the symbols of party, said to have been worn by the wife of a gentleman resident in the north of Ireland, it was really very hard upon the Government that hon. Members should give that colouring to the proceeding; had the Government of Ireland acted upon such grounds, it would have been worse than imbecile. It was too much that hon. Members should suppose them capable of visiting upon the husband the political offences of the wife. The case was this. The House would bear in mind that in the last Session of Parliament, an Act was passed prohibiting party processions in Ireland. On the occasion alluded to, one of those processions was received by the family, decorated in the colours of the party; after remaining at the residence of that gentleman for some time, and being entertained there, they departed from the house with all the provoking triumph in which they approached it. All that occurred under the eyes of a magistrate, in open violation of the law which he had sworn to maintain, and for such an offence it was thought fit to remove him from the Commission of the Peace. He would next call their attention to another and a different point in the speech of the hon. and learned Gentleman who had spoken last,—he meant that in which he adverted to the state of the calendar for the city of Dublin, on the occasion when that remarkable charge was delivered: the calendar was not only free from political offences, but very light on that occasion—it was light, for most of the offences had been disposed of by reason of the great assiduity and high qualifications which the hon. and learned Gentleman himself brought to the discharge of the important judicial functions which devolved on him as Recorder of Dublin. The calendar was not only light, but at the time there was no excitement, no provocation to disturbance, and obviously no necessity whatever for a Judge on the bench entering, in a charge to the Grand Jury, largely into political topics. The fact was, the learned Judge had no real matter on which to address a jury: he launched into topics, which, of all others, he ought to have avoided, and by talking too much, he, like others, got himself into a scrape. Let not the hon. and learned member for the University of Dublin, suppose that he differed from him alone; he differed quite as much from the hon. and learned member for the city of Dublin, who held that there should be no political allusions of any kind in the charge of a Judge. [Mr. *O'Connell:* When there are no offences of a political nature in the calendar.] He would not then enter into the question which was discussed last year, as to how far political topics were or were not admissible into such addresses from the bench, than simply to record his dissent from the position taken up by the hon. and learned member for the city of Dublin on that subject, on the ground that if the offences in the calendar, or the state of crime generally throughout the country, were plainly of an insurrectionary tendency, a Judge would fail in the duty he owed to society were he not to advert to such topics—in doing so he would be not only exercising a privilege, but discharging a solemn and imperative duty. He had not then before him the charges of Chief Justice Bushe to which allusion had been made; but the occasions which drew them forth, were totally different from that on which the learned Baron had addressed a Dublin jury. The Chief Justice presided over a Special Commission, issued expressly for the trial of insurrectionary offences, and in that charge the learned Chief Justice dwelt with great propriety upon the destruction which those "deluded instruments of agitation," then to be tried, had brought upon themselves; but the circumstances under which that charge was delivered were very different from those under which the learned Baron had addressed the Grand Jury in Dublin. The House had been referred to the last two speeches from the Throne, as affording precedents to justify political addresses from the judgment-seat. Surely no one gravely and deliberately meant to contend, that the Ministers of the Crown, addressing that political assembly, were to form fit examples by which the conduct of Judges on the bench was to be squared. It was a very novel doctrine indeed, that because the responsible advisers of the Crown had thought fit to recommend his Majesty to express indignation of certain proceedings in a certain part of the country, that thereupon every Judge in places the least connected with the districts referred to, was called upon to exceed the expression of sentiment conveyed in the Royal Speech, and that, too, upon a subject which had no necessary connexion with the general administration of justice. He found it difficult to conceive any case more remote from one which required what might be called a political charge, than that in which the learned Baron had thought proper to depart so widely from that line of observation within which the functions of a Judge are usually circumscribed. The political evils of the time and their remedies formed legitimate topics of discussion in the Speech from the Throne; but what had a criminal Judge to do with those at an ordinary assizes, the last possible place at which public measures or the conduct of public men ought to be discussed? All such matters were perfectly foreign from the character and duties of a Judge, to whom the preservation of the peace by the general administration of the law was intrusted, and particularly foreign at an assizes in nowise remarkable either for great crimes or political atrocities. He very frankly and cheerfully gave his assent to the present Motion; and he hoped that the people of Ireland would see in it an evidence that their real interests were as much attended to by the Parliament assembled at Westminster, as if it had been sitting in Dublin. He hoped they would see from it that Irish grievances were as much attended to by an Imperial Parliament, as they could be by a local Legislature; and it would be a proof also that the charges brought against that House of Commons were, to say the least, exaggerated. He could not help noticing the pains which the hon. and learned member for the University of Dublin had taken to defend from the imputation of partiality, one who had never been charged with any thing of the sort. Those observations had nothing to do with the Motion: and here again was another instance of the extent to which party feeling was carried in all questions relating to Ireland. He begged the House to bear in mind what the real question was—namely, whether the case which had been laid before them did or did not demand an inquiry; and he must positively deny, that if they granted an inquiry, they would condemn Baron Smith. He would venture to say that if one of the Judges of England, wrongly or rightly, truly or falsely, had uttered such a charge as that, there would not be five minutes' hesitation in agreeing to the proposed inquiry: of course it was not meant to be insinuated that there was any corruption in the case, or that the learned Judge had done more than proceed somewhat beyond the strict line of his duty. A case for an inquiry into that question had, he repeated, been fully made out, and, therefore, the Motion of the hon. and learned Gentleman should have his support. There remained to be noticed one other topic, which was perfectly distinct from all that had gone before—he alluded to the occurrences at Armagh. The assizes there lasted for five days; and if the Court had sat unusually late on the last day, he could well enough have understood how the press of business might have rendered that necessary. It appeared that during the first two days the Court sat from half-past eleven to seven in the evening; on the third day it sat till within a quarter to twelve; and that on the fourth day, meeting at half-past eleven, it sat till six o'clock the following morning. That, to say the least of it, was blamable and indecorous: the fifth and last day, it rose eleven hours earlier than on the preceding day; though he could, however objectionable, have well understood the motive for sitting late on the last day.

Mr. *Shaw:* The Court rose at seven on the following morning.

Mr. *Stanley:* Does the hon. and learned Gentleman mean to say that this Judge—the oldest on the bench, and one for whom I may be permitted to say in my conscience I highly honour, while I regret the situation in which he has placed himself—does the hon. and learned Gentleman, I ask, mean to say, that this learned Judge sat in Court for two successive days, from half-past eleven o'clock in the morning, till six in the evening on the first day, and again from half-past eleven in the night till seven in the morning on the next day?

Mr. *Shaw* said, the right hon. Gentleman was mistaken in supposing, that it was not the last day when Baron Smith sat so late. The learned Baron went indeed into Court again on the same day, but rose at seven o'clock in the evening, and proceeded immediately after the adjournment of the Court on his way to the county of Antrim, where he had to commence business the next morning.

Mr. *Stanley* resumed. He said, that the point to which he wished to call the attention of the House was this:—that there were but two nights on which the Court sat after six o'clock in the evening—that, on one occasion, it sat the whole night, and on another it sat till twelve o'clock. Now, he could conceive no state of inconvenience which could justify a Judge in bringing on the cases of fourteen separate prisoners, many of them charged with capital offences, between the hours of six o'clock in the evening and six in the morning. Whether any justificatory circumstances could be shown, it was not for him to say, but he must declare, that in his opinion the case was one which could not pass without inquiry. The hon. and learned Gentleman said, he was anxious to support the authority of the Judges, and uphold the administration of justice in Ireland. He gave the hon. and learned Gentleman credit for being animated by the best intentions, but, in his opinion, the authority of Judges would be best supported by taking care that, in the event of any doubtful case occurring, no attempt to prevent a full and public inquiry into it should be allowed to succeed. Such being his view—wishing to cast no imputation on Baron Smith, for whom he entertained the most unfeigned respect—being still less anxious to do anything which could have a tendency to subvert the authority of the law, and least of all feeling desirous, by any one act of his, to countenance agitation in Ireland, whether predial or political; but believing that the authority of the law would be best upheld by showing the people that in the British House of Commons the interests of Ireland were not less attended to, than the interests of England; and thinking that a case, on its very face, appearing to be a deviation from the ordinary rules of the administration of justice, had been made out for inquiry—he should vote for investigation, though he should have resisted any Motion having for its object the removal of Baron Smith with disgrace from the bench.

Sir *Robert Peel:* The right hon. Gentleman, in the course of his statement to the House, alluded to some motives arising from community of political feeling which might possibly influence Members of the House in forming their judgment in this case. For myself, Sir, I cannot conceive the possibility of political feeling influencing any one on such an occasion. This learned Judge, Mr. Baron Smith, never was a political partisan; there never was a man freer from the charge of being swayed as a Judge by political partialities or feelings; even as a Member of Parliament, he never assumed the character of a partisan. He was the early and temperate advocate of concession to the Roman Catholics; he was a correspondent of Mr. Burke on that subject; and so highly did Mr. Burke think of Baron Smith, of his early ability and judgment, that to him he addressed two of his ablest letters on it. With that learned Judge my personal acquaintance is limited in the extreme: I fully participate with the right hon. Gentleman in the very great respect which he professed for him; and during the six years of my experience in Ireland, as Chief Secretary, in the course of which I was necessarily drawn into constant intercourse with the Judges of that country, I do not recollect any Judge who ever showed a greater desire, after his judicial duties in Court were terminated, to examine every case with scrupulous accuracy, in order that if a prisoner could urge any ground for doubt as to the propriety of his conviction, or any reason for the mitigation of the punishment awarded to him, the circumstances might be fully weighed, and every advantage, consistent with justice, accorded to him. This learned Baron is now charged with neglect of duty. But I could cite many instances in which he has sacrificed his night's repose that he might the more effectually discharge the duty of a humane and conscientious Judge. There is not an allegation of corruption against him;—I do not believe that there ever breathed a man freer from the taint of corruption, pecuniary or political. There is not an allegation of the slightest partiality,—there is not an allegation, that in the performance of his duties in the administration of the criminal law, or as the distributor of civil justice between man and man,—any corrupt motive or feeling of political partisanship ever influenced him. Let us see, then, whether there be even a plausible *primâ facie* case for inquiry into the conduct of this Judge by a Committee of the House of Commons. I dismiss every other topic that has been introduced into this discussion—I regret that any other has been introduced; for God knows, Sir! the one we have now under consideration is of too great importance, the consequences with which it is pregnant are too alarming, to need aggravation by reference to any other point. We are called upon to appoint a Select Committee for the purpose of inquiring into the conduct of Baron Smith. Sir, I say this; that if—on light and frivolous complaints, nay, on plausible allegations of inadvertency or error,—Select Committees of the House of Commons are to be appointed for the purpose of examining into the conduct of the Judges, or if those Judges may be dragged before such tribunals, you may fill your Statute Book with laws professing to secure their independence, but their independence is a hollow and miserable phantom. Yes, indeed, they may possibly continue independent of the Crown,—independent of the fountain of honour and mercy;—but will they be independent of faction!—will they be independent of a predominant popular party in this House, that assumes the right, under the hollow pretext of inquiry, to humiliate Judges for the expression of opinions adverse to their own, by placing them as culprits at the bar? There are two allegations against Baron Smith on the present occasion. One is, of neglect of duty at the assizes of Armagh. If you admit the force of that charge, on what ground did you not institute an inquiry into it last Session? You were cognizant of every fact that has now been brought before you,—you had the returns in your possession,—no new allegation establishing neglect of duty on the part of Baron Smith has been made. But now, eight or nine months after the documents were produced,—after you tacitly admitted the innocence of Baron Smith by abstaining from all public notice of them,—after you have, during the whole of the interval, permitted Baron Smith to remain in the administration of justice; now, will you think it just or decent to revive the neglected and forgotten accusation, and to bolster up its manifest and admitted weakness, by another and perfectly different charge, namely, that the Judge introduced political matter into an address to a

Grand Jury at Dublin? The introduction of political matter, observe! That is the whole of the additional charge. No allegation that the political matter was improper matter, for any other cause than simply that it was political. Why, Sir, can the right hon. Gentleman who spoke last vote for a Committee of Inquiry into such a charge—can he, who says that there are many cases in which it may be the duty of a Judge to introduce political matter into a charge—can he, who vindicates Chief Justice Bushe for the introduction of political matter into a charge—above all, can he, who quoted in this House, a charge of Baron Smith full of political matter, when that charge told in favour of his own opinions, and in defence of his own conduct—can he consent to the institution of an inquiry into the conduct of a Judge, on the simple abstract allegation, that that Judge has introduced political topics into a charge? Will the House of Commons imply that the introduction of such matter into a Judge's charge, is, *primâ facie*, to be viewed with so much suspicion, that they must forthwith summon the Judge from Ireland, and inquire into his conduct? We, Sir, have no control over this Judge, except by an Address to the Crown for his removal:—of us he is quite independent; and ought we to institute an inquiry without a firm conviction that the result of that inquiry, if unfavourable to the Judge, would warrant the extreme measure of an Address to the Crown? Take the case of these late trials at Armagh. Is it alleged that injustice has been done to any one? I concur with the right hon. Gentleman in lamenting the lateness of the hour at which some of the trials took place: but I repeat, that if on such allegations as this,—that on a certain occasion, trials took place at an inconvenient and unseemly hour—on allegations implying no charge of partiality, of corruption, of grievous neglect—implying no moral delinquency of the lightest kind;—the Judge is to be brought, as a delinquent, before a Committee of this House, he ceases to be a free agent: he ceases to be an impartial and independent Judge: he is administering his functions under the rod and menace of a despot. Suppose a case of this kind. The Judge, on going the assizes, finds there has been a mistake as to the duration of a particular assize—a mistake for which he is no way responsible—that there are double the number of trials that were calculated on, when the period of the particular assize was fixed: he finds an unexpected demand upon his time; he finds also the assizes fixed for the next county for a certain day; and, anxious to perform the duty of opening them at the prescribed period, he hesitates between the hardship of detaining in gaol the prisoners who are ready for trial in the first county, and of postponing these trials for months, and the opposite evil of trying them forthwith at late and inconvenient hours. He adopts the latter—no objection being urged by the counsel for the prisoners—no allegation being made of injustice done to any one. Such may have been the circumstances under which Baron Smith acted—under which, with the best intentions, he preferred the less of two evils, and sacrificed his own comfort and repose, that he might give to accused parties the benefit of an early decision—perhaps an early acquittal. If this were the case, would it not be most unfair to cast a slur and imputation on the character of an aged and respected Judge, by dragging him over from Ireland, to appear before a Committee of this House? Say what you will—that this is a mere inquiry—that if acquitted, the Judge will not be injured in character;—these are the plausibilities by which you are covering an act of injustice; you must feel and know, that the authority of the Judge is extinguished the moment that he is summoned before you as a suspected and accused minister of justice; not only is his individual authority gone, but the blow you aim at him, strikes at the independence and authority of the judicial station. For God's sake, if you will establish this fatal precedent, establish it with those forms and solemnities, which, by giving it a more impressive character, may designate it as a proceeding of an unusual and extraordinary kind. Place the accused Judge at the Bar—let him stand here in the face of day—let him confront his accusers—and above all, let him know what it is with which he is really charged. The right hon. Gentleman says, that one advantage of this proceeding will be, that we shall thus convince the people of Ireland that impartial justice is done to them. Yes; but let the justice you deal out be really impartial. Take no step where justice is concerned, for the purpose of conciliating popular opinion in your favour; let us do our duty, regardless of what popular opinion may be, and depend on it, that if we do our duty, all the popular opinion that is worth retaining will, in the end, be on our side. I now come to the charge of this present Session, which is brought to aggravate that of the last; to render more weighty that which was not before thought sufficiently heavy to merit the pains of an investigation, but which is now to be inquired into, when the evidence connected with it is probably weaker and more defective—when all the means of information are less easy of access than they would have been last Session. The second charge is this—that the learned Judge introduced political matter into his charge to a grand jury,—an act which the right hon. Gentleman himself admitted that, under certain circumstances, he was not only justifiable in doing, but that it formed part of the duty of a Judge. And yet he objects to its being done in this instance. Are we, then, Sir, going to define the terms in which the Judges are to make their charges?—are we going to prescribe the exact limits within which it may be lawful or decorous for Judges to introduce political matters into their public addresses?—are we about first to admit, that it may be quite right in the Judges to warn "the deluded instruments of agitation?" "Nay," says the right hon. Gentleman, "it may be their duty to trace the evils of agitation to their source, but then they must look carefully at the calendar—they must not presume to lift their eyes beyond the horizon of the county in which they are holding the assize—or, indeed, beyond the bar at which the prisoners are arraigned." These may be the rules, suited for ordinary times—difficult enough to be acted upon, even in such times. But what were the times in which Baron Smith was delivering this charge which furnishes the matter of his accusation? He was speaking at a time when we, his accusers and judges, had passed a Bill that suspended and paralyzed the ordinary law in Ireland, and placed the liberties, if not the lives, of the people in that country, at the mercy of military courts-martial. I voted for that Bill—I approved of it,—I thought it required by a stern and overwhelming necessity. And if I did this, am I, in estimating the imputed delinquency of Baron Smith,—am I to forget that he was acting under the very same circumstances,—the very same impressions which constitute my own vindication? There is one passage, in particular, of the learned Baron's charge, to which I must allude. The right hon. Gentleman, the Secretary for Ireland, founded his acquiescence in this motion on that single passage,—at least he referred to no other in detail to support his opinion.—I will venture to say, that he has put a totally erroneous, and most unjust construction on that passage. In the view which he takes of it, it represents Baron Smith speaking of the whole Catholic population in Ireland, as a body which had neither property nor rank, education nor intelligence; but which merely included the physical force and numbers of the country. Sir, I am content to rest the whole case on this issue. I ask, was Baron Smith speaking of the whole Roman Catholic body at that time? No; he was referring to the allegation of those whom he considered the agitators,—the authors of the whole evil,—the allegation, that the universal people of Ireland were enlisted in the conspiracy then existing. What was the substance and obvious purport of his observations on this point? That the unfortunate victims of agitation — that mass whose physical strength was referred to,—not by Baron Smith, but by the agitators,—referred to by them with triumph and exultation,—that that mass, powerful and dangerous as it might be from numbers, and from its proneness to excitement by inflammatory harangues,—that that mass did not contain amongst it, either the wealth, or the intelligence, or the respectability of Ireland. Was this untrue? Is it not a vindication, rather than an insult, to the Roman Catholic body? And let me ask, is it probable, that Baron Smith, one of the earliest and most consistent advocates for the Catholic claims,—is it likely that he, the offspring of a Roman Catholic parent, would have spoken of the Roman Catholic body in terms so offensive, as those which the right hon. Secretary imputes to him? Baron Smith was speaking at a time when all law was suspended—when we ourselves had committed the greatest violation of law; and is it not a mockery to tell him, that it is his duty to warn "the deluded instruments of agitation;" but that he must not allude to those exciting topics of the day which are inseparably connected with that agitation? Look at the state of Ireland when the charge was made; look at the circumstances arising from the agitation; look at the loss of life that had been suffered in that country; look at the effects of passive resistance to tithes—the collection of those tithes suspended, we ourselves finding it necessary to provide for those who had a legal claim to tithes, compensation from the public purse for the injustice which they were daily suffering. I have here, Sir, the charge of Baron Smith which is complained of; it contains political matter, I admit; but how was it possible to allude to the state of that country; to "warn the deluded instruments of agitation," (for I like repeating the words,) without referring to politics? Here is one of the addresses to the instruments of agitation on which Baron Smith was commenting; it expressly refers to the success which had attended tithe petitions; it calls on the people of Ireland to be up and stirring, and assures them, that by an organised system of petitioning for a repeal of the Union, they will ultimately effect that repeal. Now I ask the House, admitting that there was no criminal case before the learned Baron immediately connected with tithes—or with the repeal of the Union—yet if he had seen that we had been under the necessity of placing the liberty of the people of Ireland under the control of courts-martial; if he had seen that the consequence of tithe petitions, adopted as the means of agitation, had been that tithes had ceased to be paid, excepting only at the risk of blood; if he feared that the repeal petitions would produce similar effects; if he learnt from the Ministers of the day, that they would, to use their own language, resist repeal to the death—was he, I ask, acting contrary to his duty when he raised his warning voice from the judicial Bench, and exposed the objects of those who were labouring, through agitation, to promote the cause of repeal? Why was there no criminal case immediately before him? Because the avowed object of the repealers was to effect their object, not by direct violation of the law, but by the excitement of a spirit of insubordination, which, while it professed a specious submission to the law, should ultimately overbear the law. Baron Smith, therefore, though he had not before him any criminal charged with the express violation of a law connected with treason or insurrectionary violence, did naturally express the same feelings of deep regret and just indignation at the continuance of attempts to excite the people of Ireland, which the King himself had expressed at the meeting of this Parliament. And what is the language we ourselves have held? We assured the King—re-echoing his Majesty's own sentiments—'That we fully participate with 'his Majesty in the feelings of deep regret 'and just indignation with which his Majesty has seen the continuance of attempts to excite the people of that 'country to demand a repeal of the legislative Union: to express our thanks to 'his Majesty for the repeated assurance of 'his fixed and unalterable resolution, 'under the blessing of Divine Providence, 'to maintain this bond of our national 'strength and safety inviolate, by all the 'means in his Majesty's power; and to 'assure his Majesty that, in the support 'of this determination, his Majesty may 'rely with confidence on our zealous and 'effectual co-operation.' And again we say to his Majesty,—and to this passage I beg the attention of the House;—'That his Majesty may rely upon our 'united and vigorous exertions, in conjunction with all the loyal and well 'affected, in aid of the Government, to 'put an end to a system of excitement 'and violence, which, while it continues, 'is destructive of the peace of society, and, 'if successful, must inevitably prove fatal 'to the power and safety of the United 'Kingdom.' We here expressly invite all the loyal and well-affected to co-operate with the law and the Government in the maintenance of the Legislative Union. If, Sir, the first practical step we take is to bring Baron Smith before us because he has discountenanced a system of excitement and violence—because, as a loyal and well-affected subject, he has anticipated our solemn appeal for his aid and co-operation, what, think you, will be the inference drawn by the people of Ireland from this direct contradiction between our professions and our acts? From this hour the cause of repeal will prosper—for never will the Irish people believe that they, who abandon to his enemies, the Judge who has used the authority of his name and station to uphold the law, and to defeat the machinations of repealers, will not also, in the hour of trial, abandon that cause, for supporting which the Judge has been made a victim.

Mr. *Pryme* begged pardon for presenting himself to the House after the very eloquent declamation of the right hon. Baronet who had just sat down; but, surely, they were not to refuse an inquiry into the conduct of a public functionary at the present time, merely because he had been the friend and correspondent of Edmund Burke, or was thought highly of by him some twenty-five years ago. If they weighed the characters of Irish Judges, they should take into consideration the regularity of the English Courts, where no Judge was found entering at eleven o'clock, but where the whole business was conducted with uniform order and precision. It had been said by the right hon. Baronet, that there was no allegation of corruption made against the learned Judge, but, surely, there might be great injustice done by irregularity without corruption. or, at least, where it would be difficult to prove corruption. He certainly should support the motion for inquiry.

Sir *Robert Inglis* said, that there was no precedent for the present proceeding; but if they went on, he feared they would establish one of a most injurious tendency, as it regarded the administration of justice in Ireland. The hon. and learned Member who brought it forward ought to have given the House more specific evidence in support of his charge. Was it to be thought of for a moment, that a Judge of the land should be condemned upon the charge of an hon. Member of that House, made merely from a newspaper statement—a statement, too, which they had no evidence to show had ever received the sanction of Baron Smith. He hoped he should not be accused of special pleading in this case, but, sitting there in their judicial capacity, he asked if it was too much to require some more tangible evidence than the mere statement of the hon. and learned Member, before they entered upon an inquiry which, no matter how it terminated, would be itself a punishment. The hon. and learned member for Dublin made this charge, or rather these charges, against a Gentleman of first-rate character, and upon whom no imputation had hitherto been cast. The inquiry, he repeated, was one of a most unprecedented nature. His right hon. friend, the Secretary for Ireland, could find no precedent for it, neither could the hon. and learned member for Dublin; so that all they had to go upon was the unsupported newspaper statement produced by that hon. and learned Member, impugning the character of a Judge of the land. The charge made by the hon. and learned member for Dublin, might have been truly reported in the newspaper produced by him; but were that speech even delivered at the table of that House, it afforded no *primâ facie* grounds for the proposed inquiry. He had heard only a part of the speech of the hon. and learned member for Dublin; but, in his view of the case, it did not bear out his Motion; and with respect to the right hon. Secretary for the Colonies, he thought that, from his premises, it was impossible to come to the conclusion to which he had come. It was a signal perversion of the charge of Baron Smith, to say, that the address alluded to was an attack upon the Roman Catholics of Ireland; for all the Roman Catholics no more desired the repeal of the Union, than all the Protestants, although portions of each mode of belief had latterly become advocates for a dissolution of the Legislative Union between the two countries. Indeed, after the observations which had been made by his right hon. friend (Sir R. Peel), he could not see how the House of Commons could feel itself justified in interfering in this case. Judges should not be lightly dealt by; their functions were too important, and ought to be too sacred to be made topics of party discussion—and with such impressions he must certainly oppose the present Motion. If the promotion of justice, and nothing else, were intended in this case, he would say to the hon. and learned member for Dublin, "Bring your charge at the bar of this House; bring your impeachment before the House of Peers; and by taking such a direct and intelligible course, you will maintain the spirit of the Constitution; but do not, I conjure you, bring serious charges against high and distinguished judicial characters, merely upon the foundation of a newspaper report." It was said by the hon. and learned member for Dublin, that Judges like Baron Smith could not be trusted in cases of libel—that was to say, of political libel. That charge, however, was easy to be made; and, in many cases perhaps, not very easy of solution. But in all cases—criminal, political, or civil—it must be admitted, that the Judge had a power of expatiating upon all the cases which were to come before the Grand Jury; and whether any one of such cases was for libel, or picking pockets, it made no real or essential difference. The Judge had the power, and, unless he completely abused the power of charging the Grand Jury (which was not imputed to Baron Smith), he did not see how that House could properly interfere. Baron Smith had cautioned the people of Ireland against the delusion which was practised upon them, in exciting them to call for a repeal of the Union; and he further characterized the agitation upon that subject as one of the greatest curses that could befal them. It was idle to say, if a Judge had a right to expatiate on any political offence in the calendar when it was sympathetic throughout the country, that he was to be confined in his charge by geographical boundaries. Baron Smith had done no more in the present instance than had been done by the Judges in England, especially on occasion of the Special Commissions which had been issued in 1812 and 1817. Although the calendar did not contain the crime, yet, knowing from general rumour, and the Acts of the Legislature, that it did exist, and formed a ground of the greatest alarm to Government, and to all classes of his Majesty's subjects, the learned Baron had done no more than he was bound to do, in administering salutary warning, and reminding all of the duties they owed to their country and themselves. The Judges in these cases referred to the causes of the crimes which they deplored—they were not censured for having done so; their motives were not maligned; they were not threatened with the censure of that or the other House of Parliament; and he would be glad to know why should Baron Smith be subjected to such an ordeal? Baron Smith had done nothing but his duty, and if that House unhappily should accede to the Motion of the hon. and learned member for Dublin—if that House should submit to be triumphantly attached to the hon. Member's chariot while he drove it through the sides of the Church—if they were also, upon the call of the hon. and learned Member, to bring the Judges of the land into contempt—if, he (Sir Robert Inglis) repeated, such triumphs were permitted to the hon. and learned Member,—the recommendation of the Ministers, the recommendation of the King himself in his speeches from the Throne, would be altogether disregarded. In vain would they proclaim their assent in that part of his Majesty's Speech, which called for the co-operation of all the friends of social order in Ireland, to repress agitation, and give effect to the laws of the country, when one of the chief administrators of that law was upon such slight and unsubstantial grounds, to be dragged almost as a criminal before a Committee of that House. If Baron Smith appeared before a Committee of that House upon the charge as brought against him, he could not return from it without that self-degradation which was inconsistent with that independence which was most essential to the satisfactory discharge of his most important duties. When he was deserted by those who in that House represented the King, the fountain of honour and justice, and who were more especially bound to protect all the ministers of justice, it was expecting too much from human nature, to suppose that, in such circumstances, the independence of the judicial bench, would not, in his person, receive a deadly blow. He trusted he should never see the day—it would be an ill-omened one for the army—when that House would take the sword of command from the King; and equally bad would it be for the justice of the country, if the control over the Judges were taken from the King into the hands of any individual member of that House [*Cries of "No, no," from the Solicitor-General.*] He hailed that cheer from the hon. and learned Gentleman; he hoped he did not misunderstand it; and that, feeling the difficulty in which the House would be placed in assuming the control of the Judges of the land on no better than a newspaper report, the hon. and learned Solicitor-General would be found to second the Motion with which he (Sir Robert Inglis) felt it his duty to conclude. The hon. Baronet concluded by moving as an amendment the previous question.

Mr. *Sinclair* seconded the Motion. He hoped that this was not to be viewed as a party question. It involved the character of a high public functionary; and the grounds of charge against him should be fully and impartially considered. He did not think that a sufficient case had been established to justify the very grave proceeding which the House was called upon to adopt. In the case of a Judge, a vote for inquiry was almost equivalent to a vote of censure, and would inflict a deep wound on the feelings of an eminent individual, of whom no party had complained that he had actually committed injustice. He was surprised to hear that his right hon. friend, the Secretary for Ireland, for whom he entertained a high respect, had changed his mind since he came down to the House. What new light had been thrown upon the subject? The charge was twofold; first, that of having commenced the proceedings of the Court at too late an hour, and continued them until late in the night. Undoubtedly this was a serious charge, but he thought that the first part of the charge had been satisfactorily accounted for; and when Judges were limited in the number of days, it often happened that they were obliged to protract trials until a late hour. He knew that this had lately been the case at the Glasgow Assizes, where the Judge had been compelled to preside during a great number of consecutive hours. The next accusation was that of having promulgated a political charge; but, surely, the right hon. Secretary must have been quite familiar with its import before he came down to the House. Though it was generally not advisable to express political opinions from the bench, it was difficult in Ireland for a Judge, who deeply felt for the evils of his country—in trying individuals for crimes—not to allude to that system of agitation which he might justly consider as their chief source. An English Judge, in trying incendiaries for destroying property, might, without impropriety, allude to the excitement created in the minds of the people, by the harangues of the disaffected and seditious. He was afraid that the Protestants in Ireland—the natural allies of this country—would consider this case, if the inquiry were granted, as an indication that Government intended to discountenance them, and sacrifice their interests at the shrine of their active and agitating opponents. But this was not the consideration that weighed with him; he voted against the investigation, because he thought that an individual in a high responsible office, should not be put on his trial, unless a strong case were made out for the inquiry.

The *Solicitor General* said, the cheer which had attracted the notice of the hon. Baronet (Sir R. Inglis) had proceeded from the astonishment he felt at hearing the analogy which had been drawn between the army and the judicial bench, and the inference drawn by the hon. Baronet, that as the army was left to the King, so should the Judges. He had always considered that the hon. Baronet's constitutional learning was too extensive and profound for such an opinion to be expressed by him. Happily, the Crown had no power over the Judges—they were independent of and irremovable by the Crown; but, thank God, they were still under the jurisdiction of that and the other House of Parliament; and the only mode in which their misconduct or incompetency could be dealt with, was by a Parliamentary investigation. He should feel himself bound to vote for the original motion, with pain indeed, but from no party or political motive. He had lately had an opportunity of forming an acquaintance with the learned individual who was the object of the Motion, who, he believed, was a very amiable man, and a most accomplished scholar; but if the charges brought against him by the hon. and learned member for Dublin were true, he was a very bad Judge, and ought to be removed from the judicial bench. There could be no better rule than that which had been laid down by the right hon. Baronet, the member for Tamworth—"Deal with Irish Judges as you would with English Judges." He had no hesitation in saying, if the charges brought against Baron Smith were true, and he were an English Judge, he would not be permitted to remain on the English bench three months. What were the charges? They divided themselves into two heads. The one was neglect of his judicial duty; the other, that he was in the habit, in addressing the Grand Jury, of delivering party political harangues. With regard to the former, it did not rest on the proceedings at Armagh. The hon. and learned Member rose in his place, and declared, that he was ready to prove, upon the investigation, that Baron Smith did not generally go into Court till twelve, one, two, three, and half past three o'clock, in order to transact his regular business. This was not certainly corruption; but was it not a ground for inquiry? Might he not thus be doing injustice to the public either through negligence or incapacity? If the charges were true—the total neglect of his duties, whether from old age or infirmity—the line of conduct he pursued was equally injurious to the interests of justice, and it was, therefore, most fit that an inquiry should take place. What was the other allegation? That in the month of October last, not for the first time, but in accordance with a habit which it seemed the learned Judge in question acted upon, he wantonly delivered what must be considered a party political harangue, insulting to many of the Grand Jurymen who heard him, both on the ground of their politics and religion. In England no such practice prevailed. The Grand Jury were to be instructed for the due performance of their functions as to any difficulties that might arise, and the evidence on which a true bill was to be found or ignored; but it certainly did not become a Judge, with all the feelings of a political partisan, to deliver a discourse on points which were altogether beside his judicial functions. If the Judge did so, he must say, any one of the Jury might get up and answer the Judge; and although he might be met with the statement, that they did not come together as a debating club, but to administer justice, yet the Grand Juror might fairly and properly remind the learned individual that he ought duly to have considered that circumstance before he delivered his charge; and he did not think it would be easy to get over such an appeal. As to the nature of the proceeding which it was now proposed to adopt, he begged leave to observe, that they did not immediately address the Crown, or move an impeachment. The result of the investigation might be, that the hon. and learned member for Dublin had been misinformed, and there being no foundation for the charges, Baron Smith would be most honourably acquitted, and, instead of being degraded, would return to Ireland in triumph, fully vindicated, and the sphere of his usefulness in that country materially extended. In justice, then, to that Gentleman, the House was imperatively called on to grant the inquiry. A great deal had been said in the course of the Debate as to the present unfortunate state of Ireland. That he as much deplored as any one. He wished to put down agitators and put an end to agitation. He also agreed with those who had expressed their anxiety that punishment should always light on the proper head, and that there should be no such thing as vicarious punishment; but, in the case which had been referred to by the hon. and learned member for the University of Dublin, if the Attorney General, without having such evidence as proved the case against the individual, had filed an *ex-officio* information, he would have been guilty of a breach of duty, and deserved to be dismissed from his office. The hon. and learned Gentleman concluded by expressing his opinion, that one means effectually to put down agitation was, to prevent Judges from becoming partisans, and uttering their political harangues in the shape of charges from the judicial bench.

Sir *James Scarlett* said, he had come down to the House without the least knowledge of what the subject of the debate was to be. He had indeed seen a notice in the paper of the Motion to be brought forward by the hon. and learned member for Dublin, but expressed in terms which he did not believe would have met one concurrent voice. The notice he alluded to ran thus:—"To call the attention of the House to the conduct of Mr. Baron Smith, with a view to his removal from the bench." Such was the notice on the paper; and the hon. and learned Solicitor General had stated, that if the charges against that Judge were true, he ought to be removed from the bench. The right hon. Secretary for Ireland had communicated to the hon. and learned member for the University of Dublin, that it was his intention to oppose such a motion, and yet, while the proposed inquiry was evidently with a view to his removal from the bench, the right hon. Secretary turned round and declared his resolution to give it his support. He must express his conviction that the right hon. Secretary had not duly deliberated on the important consequences of carrying such a motion. Government ought not to support such a motion without having themselves instituted some preliminary investigations, and been prepared to say, that there was a fit occasion for following it up by an address to the Crown. They might declaim as much as they pleased about the independence of the Judges, but unless they had confidence in the protection of the Government, how could they discharge their functions? If this Motion were carried, all the Judges in Ireland must lose their confidence; and if they had any independence, they would all resign. What were the grounds on which the present inquiry was proposed? They were two—first, that this Judge, under a press of business, had sat up to a late hour in the night. Now, if he were asked, in the abstract, whether it was expedient that a Judge should sit over night, he should say no. The modern practice, in that respect, was much preferable to what formerly obtained, when the Judges went into Court early, and sat till two, then went to dinner, and at four resumed their sittings till a late hour. To sit late unnecessarily was certainly improper; but he would ask whose complaint was it in the present instance? Had any gentleman at the Bar complained? Had the right hon. Secretary for Ireland ascertained that any Gentleman attending that Judge had made the complaint? Had any prisoner petitioned the House through any hon. Member that he had been improperly tried? Had there been any suggestion, and by whom, that that learned Judge had come to an improper conclusion? The statement was, that the learned Judge went into the Court too late. Was the House prepared to appoint a Select Committee with a view to remove him from the bench upon that ground? He knew cases in which English Judges had sat till late in the morning; and he recollected particularly an instance in which Justice Chambre had despatched twenty cases in one night; but he never heard any complaint made of it, although, certainly, he did not commend the practice. This was not a party question; it involved the dignity of that House, as well as the independence and dignity of the Judges. There was a great difference between that sort of practice which was not to be commended, which was to be lamented, and that which was criminal, and to form a ground for dismissal from the bench. Upon a recent occasion he had actually given up a brief and quitted the Court, because the present Chief Justice, whom no one could respect more than he, had determined to proceed with the cause after six o'clock, while it was likely to last till one in the morning; but he should never have thought of proposing an inquiry into the conduct of that Judge on that account. No doubt he did it from the most laudable motives; and so far from wishing to condemn him, he thought that Judge was entitled to praise. Let the House take the case by parts;—was it ready to grant a Committee of Inquiry on such a ground? Then, as to the charge of political partisanship,—no man, he thought, ought to be made a Judge from politics. If he had any, it was his duty to lay them aside when he went to the bench. Nothing was more detestable than a political Judge. But an account of the judicial establishment in general, unless found combined with some perversion of justice, some complaint which that House was bound to notice, the circumstance was not in itself a valid ground to appoint a Select Committee for inquiry. He now came to another part of the case. Allusion had been made to the King's Speech. Might Judges not indulge in the same topics with his Majesty when he spoke to all parties? When his Majesty had declared his determination to support, by all the means in his power, the Legislative Union between this country and Ireland, and to resist all attempts at its agitation, was it a great sin, was it very iniquitous for a Judge, considering the state of feeling which the Government and the King professed, to declare it publicly from the bench, and warn the people against being deluded into the commission of crime by the influence of agitation? But the hon. and learned Solicitor General had said, that the Judge was insulting the Grand Jury. That was a very serious accusation. But had the right hon. Secretary for Ireland received intimation from any of the Grand Jury of the fact? Had any of the Grand Jury represented that to him? He would take the liberty of stating what he had heard, and seen indeed in print, that the learned Judge had received a deputation from the Grand Jury, who expressed their unanimous approbation of his charge. A Roman Catholic, too, was one of the number; and yet his hon. and learned friend had, in a spirit of the most perfect impartiality—*ex uno disce omnia*—stated, that Baron Smith had insulted the Roman Catholics by the Speech he had pronounced. No such interpretation could be put upon the passage in question. He had been addressing both Protestants and Catholics; he reminded them, that in union lay their safety, and that those who agitated did not consist of persons of rank, wealth, education, and influence in the country, but of the vulgar members of the people. He must confess he did not see such impropriety in this, being only a re-echo of his Majesty's Speech, as to visit it with the indignation of that House. It was also alleged, that an offence had been committed by the learned Judge in promulgating politics and political economy from the bench. He was old enough to recollect that the Judges of England, at the commencement of the last war, in their charges to Grand Juries, were accustomed to warn the people generally against the introduction of French principles. He had heard a charge of that description delivered by Mr. Justice Buller, which had merited and obtained general approbation. Nay, he happened to know that instructions to that effect had been given to the different Judges by the Lord Chancellor of that day. [An *Hon. Member:* That was in the time of Elizabeth.] He was an old man, it was true, but not old enough to recollect that period, and he was speaking of what he recollected. At the time to which he alluded, a proclamation was issued by the Crown, calling upon all Judges and Magistrates, in their several capacities, to aid and assist the Government in putting down the attempts made to create sedition and encourage disaffection in various parts of the country. The Judges upon that occasion, as might be expected, did their duty. Mr. Justice Buller, as he had already mentioned, delivered a charge, which did him the highest honour. In that charge he contrasted the constitution of this country with the anarchy of France, and showed, from the contrast, the superior advantages which the people of England enjoyed. The learned Judge was not deemed guilty of impropriety in making allusion to the anarchy which then prevailed in France. Though there was no crime in the calendar which warranted the remarks he had introduced into his charge, it was not imputed to him as an offence, that he had used the influence of his station to repress the disaffection which at that time existed. He asked his hon. and learned friend opposite, to consider the consequences which were likely to result from acceding to the present motion. A Select Committee was moved for to enquire into the conduct of a learned Judge, with a view to remove him from the Bench. His hon. and learned friend had admitted, that if the charges now made against the learned Judge were substantiated, he must, as a matter of course, be removed. By anticipation, therefore, his hon. and learned friend admitted that the charges were true; for no Government could be so weak as to suffer a Judge to be put upon his trial, unless it believed the charges against him to be true. The speech of his hon. and learned friend, when stripped of all periphrasis, amounted to this—"We think the charges against the learned baron true—if true, they ought to be inquired into—and if proved to be so, he must be removed." Now, if his Majesty's Government had placed the charges, of which they thus admitted the truth, upon the table, and had declared their intention of moving an address for the removal of the learned baron, all that would have been in order; but this was not the course which they had deemed it expedient to pursue. On a suggestion made by the hon. and learned member for Dublin, that the learned Judge had sat on two nights later than suited the public convenience, without any imputation that he had by such late sittings done injury or injustice to any suitor—and on another suggestion that the learned Judge had made an address to a Grand Jury, in which he had adopted the language of the King's Speech, and advised them not to follow the path of agitation, but to repress it; on these two suggestions the House was to dismiss the learned Judge from the bench, or rather was to appoint a Committee to do it. Now if such a course were adopted by the House, every Judge in Ireland, who valued his independence, ought to resign immediately his seat upon the bench. He deprecated this motion as pregnant with alarm and danger, and he could not sit down without expressing his astonishment that it should have received the sanction of his Majesty's Government.

Mr. *Halcombe* rose to express his astonishment at the motion which was now proposed for the consideration of the House, and to answer the constitutional argument which was involved in this subject. It was contrary to the law of the land for an inquiry like this, even at the instance of his Majesty's Ministers, to be entered into by Parliament. He differed entirely in opinion from those who had addressed the House in support of this motion. Such a motion as this was calculated to do much harm. Striking, as it did, at the independence of the bench, and unsettling, as it did, the whole system of judicature—establishing a precedent of the most dangerous character, the ultimate consequences of which none could pretend to foresee; it behoved that House, and more especially His Majesty's Government, to act with more caution and circumspection than they now seemed disposed to do, acting under the suggestion, as it were, and at the bidding of the hon. member for Dublin. A subject of such vital interest to the country as that which affected the independence and dignity of the bench, ought not to be agitated in that House as a party question. It was a question touching the administration of justice and the dignity of the bench, and ought, therefore, to be discussed with a calmness and impartiality befitting the dignity of the House and the importance of the subject. He would call the attention of the House to an authority on this subject, which well merited the gravest attention. By the 12th and 13th of William 3rd, it was distinctly enacted that no Judge should be removable except by address from the two Houses of Parliament. Sir W. Blackstone, in the fourth volume of his Commentaries, had laid down very clearly the principles by which the House was to be guided in impeaching the conduct of Judges who had misconducted themselves. According to that learned commentator, the mode of prosecuting a Judge by Parliamentary investigation, was by impeachment before the House of Peers. His language was as follows:—"Though in general the union of the legislative and judicial powers ought to be most carefully avoided, yet it may happen that a subject, intrusted with the administration of public affairs, may infringe the rights of the people, and be guilty of such crimes as the ordinary Magistrate either dares not or cannot punish. Of these the Representatives of the people, or House of Commons, cannot properly judge, because their constituents are the parties injured, and can therefore only impeach. But before what court shall this impeachment be tried? Not before the ordinary tribunals, which would naturally be swayed by the authority of so powerful an accuser. Reason, therefore, will suggest, that this branch of the legislature, which represents the people, must bring its charge before the other branch, which consists of the nobility, who have neither the same interests nor the same passions as popular assemblies. This is a vast superiority, which the constitution of this island enjoys over those of the Grecian or Roman republics, where the people were at the same time both judges and accusers." Now was not that the very point to which the Reformed Parliament was now hastening? But the learned Judge went on:—"It is proper that the nobility should judge, to ensure justice to the accused; as it is proper that the people should accuse, to ensure justice to the commonwealth." From this passage it appeared, that impeachment was a process well established by our law. There were many precedents for it, where Judges had been guilty of misconduct, in our law books. He held in his hand the fourth volume of *Hatsell's Precedents*, and he found in it that, "in the reign of Richard 2nd, Sir Robert Belknap, late Chief Justice of the Conmon Bench, Sir Roger Fulthorp, Sir John Holt, and Sir William Burgh, late his companions, Judges of the same bench, Sir John Cary, late Chief Baron of the Exchequer, and John Lockton, late King's Serjeant at Law, were brought into Parliament at the request of the Commons, and there, by all the Commons assembled for all the counties, cities, and boroughs of England, were accused and impeached of certain crimes, viz., for answering certain questions that had been put to them relating to matters of treason, and to which answers they had put their hands and seals, which questions and answers were read to them. To these accusations they severally pleaded, stating the circumstances under which these questions were put to them, and the answers given, and prayed that they might have a gracious and merciful judgment. To this the Commons replied, so and so, for it was not necessary to weary the House by reading the whole trial. That was the course which the House ought to follow now, unless some strong reasons were stated for deviating from it. In acceding to this motion, the House would break in upon the first principles of the Constitution, by putting an individual upon his trial without deciding by a preliminary tribunal whether he deserved to be put upon his trial or not. In so doing, it would make the union of legislative and judicial functions which Sir W. Blackstone had so properly deprecated. Let the learned Judge be taken before the proper tribunal; and if he could not stand before that tribunal upon his own merits, let him be disgraced, if he deserved to be so. One word more and he had done. How would they prove their case against the learned Judge, supposing a Committee to be granted? A Select Committee had no power to administer an oath to any individual. That was a mode of proceeding which he should ever deprecate, although it was the mode by which they were now proceeding to rob the electors of England of their dearest rights. Though he had annoyed the House already by troubling them on that subject. He supposed that he was to understand from those cheers that he had annoyed the House. Well, he was afraid that he should feel himself under the necessity, arising from a conscientious sense of duty, to trouble the House once more upon that subject.

Lord *Althorp* said, that the hon. and learned Gentleman had stated very truly the constitutional principle which the House was bound to observe when Judges were impeached, and that he had also stated very truly that it was upon the address of the two Houses of Parliament alone that a Judge could now be removed. The hon. and learned Gentleman, however, followed up his premises to a very odd conclusion,—namely, that because it was only by address from the two Houses of Parliament that a Judge could be removed, and because he could only be impeached for misconduct by the House of Commons, the House was precluded from inquiring, and, in point of fact, was bound not to inquire, into the alleged misconduct of any Judge. Now, would any man pretend to say, that because the House had the power of impeaching a Judge, or of addressing the Crown for his removal, it ought not as a preliminary step to inquire into his conduct at all, because it could not inquire into it under the sanction of an oath? Whenever a case arose demanding the interference of that House, the only mode to which the House could resort to satisfy itself of the justice of its interference was that of examination. It had been argued, and with as much of ingenuity as of ability, that all the charge against the learned Baron rested upon what had taken place on one occasion at Armagh. He admitted, that the charge against the learned Baron was not a charge of corruption, nor a charge that his conduct had been at all in that way disgraceful; but the charge against him was, that a Judge who came into court so late as he was alleged to have done, and who neglected his business so much as he was alleged to have neglected it, acted in a manner unbecoming a Judge. The charge was, not that he had come late into Court once at Armagh, nor that he had come into Court late occasionally, as was stated to have been sometimes the practice with some of the Judges in England, but that, entering the court at a late hour was his habitual practice. The hon. and learned member for Norwich had expressed his surprise that any charge should be founded on that which was admitted to be a man's habitual practice. Now, to that argument, if argument it could be called, he would merely reply, that it was because it was the habitual practice of the learned Judge, that the accusation was now brought forward. As far, however, as he could see, this was by no means the gravest charge against the learned Baron. He thought, that the mere circumstance of a Judge making a political speech to a Grand Jury, was pregnant with great evil to the administration of justice. The hon. and learned member for Norwich had stated, that his hon. and learned friend, the Solicitor General, was mistaken in saying, that the learned Baron had insulted the Grand Jury by the charge which he delivered to them; and the proof which the hon. and learned member for Norwich had tendered in support of this allegation was, that the Grand Jury had expressed their concurrence in the sentiments of that charge. Now, that was no justification of the course which the learned Baron had pursued; for if a Judge were to be allowed to make a political charge to a Grand Jury under the supposition that his politics were identified with theirs, it was probable that he might, upon some occasions, enter upon topics in which their opinions might differ from his own. He was afraid, that the practice of making political charges was more common among the Judges in Ireland, than it was among the Judges in England. He disliked such charges, even when they appeared to be fully justified, if he might use such an expression, by the occasion. The practice of making such charges led to the most injurious consequences, for it brought into dislike, not only the forms, but also the functions of justice. It had been argued as if this motion was a motion for the condemnation of the learned Judge. It was no such thing. He admitted, certainly, that if the case were proved to be such as was alleged, the House would be called upon, and must be called upon, to express their condemnation of his conduct. The accusation made out a case which demanded an inquiry to be instituted, on account of the allegations of misconduct brought against the learned Baron. It had also been said, that Ministers would not have acceded to the present motion, unless they had believed in the truth of the charges preferred against the learned Baron. He would admit, at once, that he certainly believed, that the learned Baron had been guilty of the misconduct of which he was accused.

That being the case, he must also observe, that the argument, that "Government ought not to interfere unless it were convinced of the truth of the charges against Mr. Baron Smith," was not entitled to any weight. It had been argued that it was inexpedient, unless the public suffered severely from a Judge's misconduct, to bring it under the notice of the House. He was ready to grant, that any attack upon the conduct of a Judge, when his conduct was not brought specifically under the notice of the House, was highly improper; but on the present occasion, the conduct of a Judge was brought specifically under its notice, and the House would abandon its duty if it did not take that conduct into its consideration, for it was only in Parliament that the conduct of the Judges could be freely considered. Such being the case, he felt it to be impossible for the House to refuse the present inquiry. The right hon. member for Tamworth had spoken in warm terms of the propriety of respecting the independence of the Judges. There was no man who set a higher value than he set upon their independence; but he could not see how that could suffer if the House were to examine into, and express its opinion upon, the alleged misconduct of one of their number. He should be most happy to find, that the learned Baron had not been guilty of the misconduct imputed to him; but the case being, as it then was, before the House, he did not see how inquiry into it could be refused. He agreed with his hon. and learned friend (the Solicitor General), that if such a statement as that which the House had heard that night had been made against any one of the Judges of England, there would not have been a moment's hesitation about the necessity of the House's proceeding to some decision upon it. He considered it to be very desirable to assimilate, not only the law, but also the administration of the law, in England and in Ireland. The only way to conciliate the affections of Ireland to England, and to cement the connexion between the two countries, was by satisfying the people of Ireland that, when any charge of misconduct was brought forward against any public functionary residing among them, that charge would be treated in the same manner as a similar charge against an English functionary would be treated, and by convincing them that Government would sanction no endeavour to screen a Magistrate in Ireland, for conduct which, of necessity, must be censured in England.

Mr. *Plumptre* observed, that he did not know that he had ever been more deeply pained than he had been that evening on hearing the determination of Government to accede to the Motion of the hon. and learned member for Dublin. He considered it, not only a most unhappy, but also a most unjust determination; for what, he would ask, was the whole amount of the charges brought against the learned Baron? It was simply this—that the learned Baron occasionally came into Court at a later hour than that which suited public convenience, and that he occasionally mixed too great a spice of politics in his judicial charges. He had not been charged with corruption,—he had not been charged with partiality—he had not been charged with injuring, by his late hours, any individual who had come under his jurisdiction; and yet this learned, able, and faithful Judge, the oldest Judge now on the bench, was to be brought before a Select Committee on such trifling charges as these! He again repeated, that he was deeply pained by the determination of Ministers on this question. He thought it a most undesirable thing in the present state of this country, and still more so in the present state of Ireland. It would bring the Judges into disrepute—it would stop their mouths on a variety of important topics—and what was worse than all, it would seriously impede the course of justice.

Mr. *Finn* said, that during all his attendance in that House, he had never witnessed any conduct on the part of his Majesty's Government, better qualified than their conduct on the present occasion, to give confidence to the people of Ireland. Gentlemen were at liberty to laugh, but he would, nevertheless, repeat the assertion. Without naming individuals, he would merely mention as matter which came within his own knowledge, that at a particular period, circumstances connected with the promotion of an individual to the judicial bench, had produced consequences of which they had not yet reaped all the bitter fruits. The learned Judge, whose conduct was under consideration, had assailed him from the bench. Could the learned Judge point out an instance in which he had ever assaulted the learned Baron? The learned Judge also talked of "shabby economy." One would suppose that he had been reflecting on the hon. member for Middlesex. He next talked of the dignity of the bench, and wished the Judges to enjoy their penury in independence. Now, in reply to that observation, he would merely remark, that he thought that all the Judges were too highly paid. Indeed, all our public functionaries were too highly paid; and if their salaries were reduced, the people might have the benefit in a reduction of taxation. Why should we pay from 3,000*l.* to 4,000*l.* a-year to our Minister in Switzerland? That was a larger sum than was paid in salary to all the other foreign ministers to that state put together. He should support the Motion.

Mr. Serjeant *Spankie* said, though there were strong and powerful objections to the mode of proceeding now sanctioned by Government, he would not stand upon them, but would take it for granted, that the delinquencies charged against the learned Baron could be proved, and would say that, even in that case, they would not be worth the time which must be expended in examining them in the Committee. It appeared from evidence which had been upon the Table of the House for the last ten months, that the learned Baron was late in coming into Court. Was that no offence? Yes, it was an offence; and that it was so considered, might, in common fairness, have been communicated by the Government to the learned Baron. Had such a communication been made, the offence might have been repented of altogether, without bringing into play so powerful an engine as the prosecution of a Judge by the Commons of England. They ought to reserve such a weapon for a fit occasion, and should not draw it at the call of every brawler. Another offence charged against the learned Baron was, that he had delivered a speech from the bench, in which he had entered into a discussion on the state of Ireland, and had made various reflections upon the parties by which that country was distracted. Granted that he had done all this,—what then? It was admitted on all hands, that if there had been in the calendar any transgression connected with the disturbed state of Ireland, the learned Judge would have been fully justified in offering to the Grand Jury the observations which he had addressed to them. Now he was inclined to contend that, if ever there was an occasion on which such observations could be more suitably offered than on another, it was when he had before him a Grand Jury which could not be inflamed into finding bills improperly, and when there was not a single person to be punished for such violations of the law. Was the House, he would ask, bound to punish a Judge for indiscretion? Had not the House had enough of indiscretion already? Would it bring this Judge, the friend and correspondent of Burke—a circumstance which, in itself, was a high honour to any man—would it bring him over from Ireland to this country for the purpose of placing him at the bar as a delinquent? Where was the generosity, where, indeed, was the justice, of rendering miserable the dying hours of an honourable man, merely because he had made reflections disagreeable to certain parties in Ireland? It had been the practice of many of the English Judges to make political harangues to Juries. Mr. Justice Bayley had delivered one in which he had criticised the National Debt. Lord Wynford had indulged in twenty such discourses—some more, some less wise—some more, some less political; but never had the English or the Scotch Members of Parliament supported against them a Motion like the present. If it were carried, the judicature of the kingdom would be placed in jeopardy—nay, the independence of the bench would be annihilated. It was a question not mooted, he contended, for the sake of justice, but of political partisanship. Charges like that of the learned Baron, had been made by the best of our old Judges; and if such interference were to be sanctioned by the House of Commons, as it was two centuries ago, all law would be at an end. He must complain of the manner in which the present Motion had been introduced to the House, inasmuch as the friends of the learned Judge had had no opportunity afforded them of meeting the accusations against him, and showing their futility. And after all, the alleged offence was but trivial. It was not a speech delivered at Hull; but the charge of a Judge, animadverting on the almost total disregard to law and order which prevailed among the populace of Ireland. For this offence, was he to be removed from the exercise of his functions? He trusted the House would not proceed in the matter, and that the previous question might be carried; at all events, he hoped some interval—some pause—would be allowed to intervene before the House came to a decision. *Spatium requiemque furori sit.* It was a question not merely concerning the independence of the Irish Judges, but those of England and Scotland also. "Let the case be tried openly at the Bar of the House. Give the learned Judge the consolation, at least, of receiving the public protection. Let this case be fairly tried, and if he should be doomed to perish, let him perish in the face of day."

Colonel *Verner* observed, that from information he had derived from a gentleman holding an official situation in Armagh, he had learned that the press of business on the occasion in question, had rendered the assistance of other Judges necessary. Had this course not been adopted, many of the cases could not have come on at all, and many of the prisoners must have been remanded until the next assizes. With regard to the charge of the learned Judge sitting the greater part of the night, he had ascertained that he had only done so at the express solicitation of the counsel on both sides, as the cases on the calendar were of such a nature, as not to admit of bail. The charge complained of, the gallant Colonel contended, was directed to allay the state of excitement in Ireland, and was not to be attributed to the wish to excite feelings of political animosity.

Mr. *George Frederick Young* said, he could not content himself with giving a silent vote upon this question, nor avoid expressing his concurrence with the hon. member for Kent, in the surprise and regret which he felt, that the right hon. Secretary for Ireland should have committed himself, by such an indiscretion, as giving a hasty and precipitate acquiescence in the Motion of the hon. member for Dublin. He regretted, that when the right hon. Gentleman was induced to change his own mind on an important question, he had not required time for the Government to consider what course it would be expedient to adopt, and also for the Members of that House to weigh maturely the measures which were proposed. With reference to the question itself, he had heard with much surprise—in common, he presumed, with the most of the English Members, who were only aware of the practice in this country, and the hours at which business commenced here—that a learned Judge did not commence the business of his Court until half-past eleven o'clock. But that was explained by an hon. Gentleman, who told the House, that the hours of business in Ireland were different. He regretted, therefore, that Baron Smith should be called upon to answer for what turned out to be a general practice. If his recollection served him rightly, he believed that Colonel Despard received sentence at six o'clock in the morning, and, as a case within his own experience, he could mention that, within the last three years, he was a prosecutor in a case of felony, and having left the Old Bailey at eight o'clock in the evening, on an assurance that there was no probability of the trial coming on, the prisoner was arraigned at nine o'clock, and was acquitted in the absence of a prosecutor. When Gentlemen talked of an assimilation of the practice in England and Ireland, he thought it hard that a particular case should be pressed against a Judge in Ireland, and that no notice should be taken of the practice in this country. With respect to the political allusions, which were made another ground of complaint against Baron Smith, he was not a little surprised to hear the noble Lord opposite speak of the learned Baron having been in the habit of making such political allusions. He believed, that the charge before the House was limited to one specific instance of that nature. He deprecated improper political allusions as much as any man could do, but he had not yet heard a line of demarcation drawn, which would point out what particular allusions of that nature were amenable to the censure of that House. Being satisfied that the offence charged, even if proved, was a venial one, while the course proposed would tend to the establishment of a dangerous precedent, he could not support the Motion of the hon. member for Dublin, but should vote for the previous question.

Mr. *Hardy* begged to be allowed to explain the reasons on which the vote he intended to give was founded. It appeared to him, that to adopt the Motion of the hon. and learned member for Dublin would be to set a precedent of great injustice. If the hon. and learned Member had intended to press so strongly the circumstance of the learned Judge's not coming into his Court until half-past eleven o'clock, he ought to have stated it in his notice, and then the learned Judge's friends might have been prepared with a full explanation of all the circumstances of the case. He knew nothing of Mr. Baron Smith, or any of his connections; but if he were to agree to the Motion before the House, on the grounds which had been stated by the hon. and learned member for Dublin, he could not sleep in comfort. If the charge which grew out of the alleged late hours were to be brought at all, it ought to be brought against his Majesty's Government; for if it had been the learned Judge's habit for thirty years to go into court at improperly late hours, why had not his Majesty's Government intimated to him that it was a practice which must be discontinued? If, also, the learned Judge had, as was alleged by the hon. and learned member for Dublin, been in the habit for the last three years of making political charges from the Bench, it was the fault of his Majesty's Government that they had not interfered in the subject. In those three years the learned Judge must have gone six circuits. Was it not the duty of his Majesty's Government, or of the Lord Chancellor of Ireland, to intimate to the learned Judge on the first, or at any rate on the second occasion that he must abstain from such political addresses? No fault, however, had been found with the learned Judge by his Majesty's Government, and so it appeared that he proceeded. With respect to the matter itself which the learned Judge was accused of having introduced into his charges, it appeared to him that in the agitated state of Ireland, and under all the circumstances which grew out of that agitation, it was the imperative duty of a Judge to advert to topics calculated to restore tranquillity, the more especially when he saw the country swarming with publications of the most pernicious nature. It did not follow that, because there was no political offence in the calendar, the Judge should abstain from all political allusions in his charge to the Grand Jury. It frequently happened that the bills prepared before the Grand Jury by prosecutors were of a nature of which the Judge could not have any idea from the calendar. Under these circumstances, it was the learned Judge's duty to explain the law to the Grand Jury, and to caution them from being led away from the performance of their duty by the consequences of the existing agitation. Upon the whole, it appeared to him that it would be an act of the greatest injustice to call upon the venerable Judge, to come over to this country to answer a charge which, if proved, was so trifling in itself, and so unworthy of serious attention.

Mr. *Christmas* said, that, as the Government had altered their opinion once already, the explanation of the hon. member for Armagh (Colonel Verner), that Baron Smith sat at late hours with the consent of counsel on both sides, ought to induce them to alter it again. It appeared to him that what the hon. member for Dublin had introduced as a make-weight, was to be in reality the means of carrying his Motion. If there had been nothing but late hours to complain of, the House would never have heard of this charge. Then, as to political harangues, he did not agree with the doctrine which had been laid down by the hon. Member on that subject. The right hon. Secretary for the Colonies had admitted that there were occasions which would justify political harangues. If any occasion could furnish such a justification, was not the condition of Ireland precisely that occasion, when large masses of the people, instigated by agitation, took the law into their own hands, and not content with attacking property, placed life itself in danger, and proceeded to extremities utterly subversive of all order? The learned Baron, no doubt, felt it his duty to impress upon the Grand Jury, as Magistrates, and preservers of the peace, the necessity of discountenancing proceedings so dangerous to the peace of society. He would ask, what good could come of inquiry? Suppose the learned Baron did come into Court at half-past eleven o'clock, was the House on that ground to address the Crown to remove him from his office? He was ready to concur in the opinion that political harangues might create in the minds of the people a suspicion of partiality where no partiality existed, but he was sure that Baron Smith possessed sufficient good sense to discontinue the practice, if he found that that House considered it inconsistent with the due administration of justice. Feeling that there was not sufficient ground to put the learned Baron upon his trial, he could not conscientiously vote for the inquiry.

Sir *James Graham* said, that he never rose to deliver his opinion to the House under feelings of more concern than he did on the present occasion; but he believed he should be acting unfairly by his colleagues, if he were not to state shortly, but distinctly, the grounds of the vote he was about to give. The hon. Member who had just sat down had said, that the House had changed its opinion once, and might do so again. He, as a member of the Government, certainly came down to the House with the understanding that his colleagues meant to oppose the present Motion. He still retained his opinion; he saw no reason to change it. He intended to vote with the hon. member for the University of Oxford; and he must declare, as one who valued the independence of the Judges, and his own character, that if the Motion were acceded to, and an address to the Crown presented, for the removal of Baron Smith from his judicial situation, it would be a highly inexpedient—nay more, a most unjust proceeding. The question was, more or less, a judicial one, and one he did not feel himself adequate to discuss; but, after the speech of the hon. and learned member for Finsbury (Mr. Serjeant Spankie), he had no doubt on the subject, and, as an humble individual whose character was dearer than any other consideration, he felt that he could not support his colleagues in the view they had adopted with regard to it. The present would be the most painful vote he had ever given, since he felt it incumbent upon him to sever himself from those friends with whom, during a life of some duration, he had had the honour of acting; but feeling, as he did, the proposition to be one dangerous in itself, he conceived he should be betraying the trust committed to him by his constituents if he did not declare against it. He should never forgive himself were he to adopt a contrary line of conduct. He again professed his inability to argue the question, but felt he should not discharge his duty to the satisfaction of his own mind unless he voted against the Motion.

Mr. *Hume* said, the speech of the right hon. Baronet very much surprised him; for, since he had been in that House, he had never heard a more unconstitutional and completely Tory speech than that of the hon. and learned Member to whose arguments the right hon. Gentleman attached so much importance. He was, therefore, not surprised to hear it echoed and cheered as it had been at the Opposition side of the House, but he was surprised to hear the resolution which the right hon. Baronet formed upon it. From what he had heard of the conduct of this Judge, he must say, that the Government had done themselves honour by taking up the question. He could ask the right hon. Baronet with what consistency of honour or character he could advise his Majesty to denounce the whole Irish people, because one man was an agitator, and, now refuse to do equal justice—for he considered that the Government, by taking up this question, gave a strong proof of their determination to do justice? The right hon. Baronet had advised his Majesty to denounce political agitation, as injurious to the people of Ireland, and that House had echoed the sentiment. He did not consider it worthy the attention of the House; but, if the right hon. Baronet thought fit to introduce in the King's Speech a denunciation against Daniel O'Connell, (for that was the person whom he understood to be meant), why did he not concur in doing equal justice when a Judge upon the Bench became a political agitator and pronounced political harangues; when, as the right hon. Secretary for the Colonies observed, no person was charged with the offences to which allusion was made? If a practice had been persevered in for years, that was no reason why it should be allowed to continue. It appeared to him that there was great room for inquiry. All the Judges required admonition, and he trusted this would be effectual.

Mr. *Hughes Hughes* congratulated the country and the House upon the fact that, at all events, one of his Majesty's Ministers was not satisfied to consign over an aged Judge to the fury of the agitator of Ireland. He felt in common with the right hon. Baronet (Sir James Graham), who had done himself so much honour by the speech which he had just delivered. The hon. member for Armagh had convinced him that on one point no charge could be sustained against Baron Smith. It was well known to those hon. Members whose duty it was to attend at the Old Bailey, that the Judges retired from the Court at five o'clock, and that then the Recorder and his assistants proceeded to try causes until ten o'clock or later. The House had heard from the gallant Member (Colonel Verner) that Baron Smith, in adopting similarly late hours, conformed to the wishes of counsel on both sides. The other point before the House, on which the accusation was founded, was the delivery of a political charge. The fact, however, was, that the King's Speech denounced agitation in Ireland, and was it to be tolerated that a venerable and respected Judge should be brought to answer at the bar of that House for echoing the sentiments contained in the King's Speech? He should certainly vote with the right hon. Baronet (Sir James Graham) against the Motion.

Lord *Sandon* said, it was most disgraceful on the part of Ministers to change their minds after coming down to the House prepared to refuse an inquiry. What new facts had they heard which could induce such a change? Was it in this way, he would ask, that a Judge was to receive notice from Ministers of their sanctioning an accusation against him, and that Judge, a man who had for thirty years filled his seat on the Bench? Was such the only notice he was to have—and that, too, in despite of promises made to that Judge's friends, that Ministers would oppose the Motion? Yet this very thing which they had made up their minds to oppose, some of them now thought afforded sufficiently good ground for an impeachment. As to the late hours, that fact was previously well known to the right hon. Secretary for Ireland, for it had been notorious for years past, and was well known to many other parties in that House. The other question was on the political charge delivered by the learned Baron; but was there a man in that House, or in the country, who could believe that Ministers were not aware of its nature prior to that Debate? Was the right hon. Secretary not acquainted with it. Had he read it? Or was his resolution changed by the speech of the hon. and learned Gentleman directly pointed at in that charge? He could not conceive any species of conduct so destructive to the dignity of the Government, to the harmony of the Ministry amongst themselves, and to the dignity of that House also, as that of bringing forward such grave charges upon such slight grounds. It was strange, too, that Ministers did not agree in the reasons which induced them to support the Motion for inquiry. The right hon. Secretary for Ireland voted for inquiry expressly, because the facts, even if established, were not sufficiently serious to involve the removal of the learned Judge from the Bench, while the learned Solicitor-General agreed to the Motion expressly because it was sufficiently serious to involve his removal. Whether or not this subject would not lead to a more extended dissension amongst Ministers, must appear at the next stage of the proceedings. Assuming the facts stated by the hon. and learned member for Dublin to be true, were they prepared to go the length of impeaching such a man as Baron Smith? and all parties bore testimony to his worth. He was respected by all who knew him, and were they merely at the instance of the hon. Member who was directly pointed at in his charge to drag him before that House. He trusted the House would not agree to the inquiry, against which he should certainly give his vote.

Lord *John Russell* said, he had not intended to take any part in the present discussion; but seeing that it was accompanied with circumstances of a very painful nature, and that it had excited a lively interest in the House, he did not think that he should be doing his duty if he voted in favour of the proposed inquiry, without shortly stating his grounds for doing so. His noble friend, if he would permit him to call him so, who had just sat down, had said, that it was discreditable to the Government to come down to the House with the intention of refusing an inquiry, and immediately afterwards to change their minds and acquiesce in such inquiry. His right hon. friend (Mr. Littleton), however, had stated that the reason of their acquiescing was, because the motion had been materially altered. Instead of being a motion for removing the learned Baron from the Bench, it was now only a motion for inquiry. Upon the same grounds as had been stated by his right hon. friend, he would support the motion for an inquiry. He did not think that the charges, though grave, were of such an extent as, even if fully proved before the Committee, would authorise them to vote an address to his Majesty, praying for the removal of Baron Smith from the Bench. But without concurring in that, what he would ask, were the circumstances of the case? An inquiry was asked for, because there was a want of readiness and punctuality on the part of the learned Judge—in itself a grave charge; and because of his delivering a political address from the Bench. He would not detain the House upon the first point, further than to say, that the hon. and learned member for Dublin had made a grave charge; but if, on inquiry, it should appear that the learned Baron was induced to sit at late hours by the request of Counsel on both sides, such an explanation would go far to extenuate such a charge. For that very reason, therefore, he thought it was necessary to appoint a Committee, that, having before them the facts, as stated in the accusation, they might also have the learned Judge's defence. With respect to the second charge, of the learned Judge's having delivered political charges, he would only ask who there was, even amongst the most zealous opposers of the inquiry, that would say it was laudable for a Judge to pour forth political disquisitions from the Bench, in favour of or against particular political parties? The question then was, whether that House, by assenting to the Committee of Inquiry, would affix its condemnation to that practice, whether they would visit it with the censure of the House of Commons, or whether, by refusing to entertain the motion at all, they would virtually say, that the practice called neither for censure nor condemnation, and that the Judges of Ireland might indulge to any extent—to any degree whatever—in political and party disquisitions?—Whether, in fact, they would enable all Judges hereafter to say to the House, "You have passed by Baron Smith, and are therefore unable to enter into the question as regards us?" That was the simple question to be considered. He did not propose, in voting for this inquiry, to arrive at the result of addressing his Majesty for the removal of Baron Smith, but he did propose to check the practice, which it appeared prevailed in Ireland. The practice which prevailed in this country at the beginning of the French war, alluded to by the hon. member for Norwich, was not the general practice of this country. That was a period of peculiar and dreadful excitement, to which he could only look back as a time when the Government of this country was conducted with a disgusting spirit of persecution. He certainly should not draw a precedent from that period, when it was only by the singular talents of Lord Erskine that some of the most honourable and innocent of men were rescued from a shameful death. Looking, however, at happier periods, and at the better times of the constitution, he found the Judges of the land had systematically and cautiously abstained from such party and political harangues, and had omitted to indulge in the topics now referred to. As his learned friend said, if any Judge in England ventured to call the great mass of the community "vulgar numbers," and had indulged in irritating disquisitions on political parties, there was no one who would not unite in censuring such passages; and if that would be the case in England he felt bound to extend a similar feeling and a like practice to Ireland. It was said, that this practice had gone on for years in Ireland; in reply to which, he would say, that it was quite time that it should be put an end to. He could not admit that the purity of the Judges was good for England, but not for Ireland, or that in the latter country the Judges might enter upon political disquisitions which would not be admissible here. He hoped, on the contrary, that the House would establish, by granting this Committee, that the same practice, neither better nor purer, but as good as in England, should prevail in Ireland. As to the phrase of "vulgar numbers," he thought it peculiarly unhappy; he had always considered that in the eyes of a Judge, the humblest of the King's subjects was equal to the highest, and that it ill became such an individual, seated on the bench of justice, to talk of the superior rank or wealth of the one, in invidious contrast with the poverty, ignorance, or degradation of the other; the only question for the Judge being guilt or innocence, right or wrong; and his only task to do his duty impartially, and without respect to persons.

Mr. *Baring* said, the result of this discussion was so far satisfactory, inasmuch as it proved that in a question of so much importance as the independence of the Judges, all party considerations should be set aside; that such a question was much too grave a one to be decided by ordinary feelings. He was not surprised at the course pursued upon that occasion by the right hon. Baronet (Sir James Graham). In fact no two of his Majesty's Ministers were agreed in their view of the question. The right hon. Gentleman, the Secretary for Ireland, altered his opinion, and that in a way most unfavourable to the learned Judge—in a way which must inflict upon him additional pain, for that learned Judge had information communicated to him by the right hon. Secretary that the Motion would not be entertained by Ministers, and yet he now supported it.

Mr. *Littleton* begged to explain, he had expressly stated that a communication had taken place between the learned Recorder of Dublin and himself. The learned Gentleman had asked him what course Government meant to pursue in the case of Baron Smith, and he replied that he intended to oppose the Motion for removing the Judge, but that, at the same time, he should express himself with candour and sincerity upon the charge against Baron Smith, and rather strongly too. The learned Recorder since then accused him of changing from his steadfast resolution to oppose the Motion; but the fact was, that he would have given his steadfast opposition to the Motion if it had not been altered. He would ask any hon. Member to look to the notice-book and judge for himself whether the Motion had not been materially altered by the hon. and learned member for Dublin, from what it was in that book. In that book the Motion was for the removal of the learned Judge, but the hon. member for Dublin now wished only for inquiry. Indeed, it was not until the hon. member for Dublin had nearly concluded his speech, that he had changed his intention of opposing the Motion. He thought he had thus completely absolved himself from the charge of the hon. Member.

Mr. *Shaw*, in explanation, said, when I before addressed the House, motives of delicacy restrained me from expressing how deeply I had felt the conduct pursued by the right hon. Gentleman in reference to the communications which had passed between us—but as the right hon. Gentleman has alluded to the subject, I can now have no hesitation in declaring that I consider the right hon. Gentleman's explanation wholly unsatisfactory. First, as to the notice and Motion being differently worded—I see no substantial difference beyond the notice which had been merely general and vague, having now assumed a specific form. Next, as to the conversation itself. It was true, as stated by the right hon. Gentleman, that he assured me that the Government would oppose the Motion, and that while he (Mr. Littleton) would express some disapprobation of the particular charge in question—he would not say a word that would hurt the feelings of the learned Judge, for whom he entertained the most unfeigned respect; but the right hon. Gentleman has omitted the most important feature of the conversation, and that which makes me think he has not properly characterized the conversation as a casual one—it is this—the right hon. Gentleman added he not only authorized, but requested me to make the communication to Baron Smith, which he (Mr. Littleton) had made to me. I did so, by the post of the day the conversation occurred, (about a week ago), and observed at the same time to Baron Smith, that such being the case, the whole would probably end in an abusive speech from Mr. O'Connell, and that Baron Smith need feel no uneasiness as to the result. I myself was not undeceived by the right hon. Gentleman, until a few minutes before he rose to address the House this night.

Mr. *Baring* proceeded. The great hardship of the situation in which the learned Judge had been placed was fully made out by the explanation. Must not the learned Judge, in consequence of the communication made to him by the member for the University of Dublin, have been fully convinced that Government did not mean to support any such Motion as this? No two of the Gentlemen who spoke from the opposite side agreed in their view of the question. The noble Lord (the Chancellor of the Exchequer) said, he could not support such a motion, unless with a view to the removal of the learned Judge, if there should appear, upon inquiry, that there was sufficient ground for it. No Minister could support such a Motion with any other view. The right hon. Secretary said, his object was to protect him; and the noble Lord said, that even if the charges were proved, they would form no ground for removal from the bench. No two, therefore, of the Ministers agreed upon the point. With respect to the mixing up of political discussion and political allusions, in a charge to a Grand Jury,—before they proceeded further upon the Motion, they should first have before them the precise nature of the charge, and the facts upon which it was proposed to support it. They would not condemn even a waiter at the Custom-house without having the charge submitted to them. It would be against all form, against every thing like justice, to call before them this learned Judge without knowing what the accusation against him was. The ground of the Motion was, that Baron Smith delivered a political charge to a Grand Jury. Now, before Gentlemen voted, they should at least have before them that charge to the Grand Jury, in which he was said to have mixed up political considerations. No person would deny that it was the duty of a Judge to explain to Grand Juries the nature of such crimes, and the law upon such offences as might be prevalent at the time the charge was delivered. In an agricultural county, if the crime prevalent was, as might naturally be supposed, horse-stealing or sheep-stealing, the Judge in his charge would naturally dwell upon that crime. If the offences were of a political nature, arising from agitation, he would naturally allude to them. In the different counties of Ireland, where outrages were committed daily and nightly, by whitefeet and ribbonmen, and other lawless persons under different denominations, must Judges say that they feared making any allusion to the state of the country, lest they might be considered as political Judges? If Baron Smith went further than others into political disquisitions and into party matters, it might be imprudence, it might be bad taste, and, if carried too far, it might become the duty of the House to take notice of it; but it could not, in fairness, under all the circumstances, form a ground for bringing the learned Judge before them. It was said, he was in the habit of such practices. Now, had he received any intimation or any admonition upon the subject from the Irish Government? and if any such was communicated to him, did he neglect it? He would not give the hon. and learned Gentleman, the member for Dublin, the name of the great agitator of Ireland, because he was proud of the name. He was happy to perceive, from the manner of the hon. and learned Gentleman, that he was not proud of the designation. The agitation alluded to in the speech of the learned Judge was all produced by the hon. and learned Gentleman. Now, the Judge was to be condemned, and no notice at all taken of the great cause to which all was to be attributed. It would be base to abandon thus a Judge of the land; it would, in fact, be a notice to the whole country, that the hon. and learned Member was the master of Ireland, and that Government could not and dared not any longer resist whatever he might think fit to propose. According to the forms of the House, the mover named his own Committee, and in this way the learned Judge might fall into the trap of the hon. and learned Member. If this was not supported and proposed as a party question, he ventured to say, there would not be found in the House ten Gentlemen who would vote for it.

Mr. *John Young* wished to put the House in possession of a fact which had just been communicated to him by his hon. and learned friend, the member for the University of Dublin, and which might be considered material for hon. Gentlemen to know before the division took place. It was—that, in addition to being deserted by the Government, who promised and were to have defended him, Baron Smith was, up to that hour, ignorant that the charge of sitting at a late hour in the day, and of keeping his Court open at night, was to be renewed against him. It had been preferred and abandoned in the last Session. The hon. member for Middlesex had talked of equal justice to those aimed at in the Speech from the Throne, and to the learned Baron; but where was the equal justice? Was it not monstrous to institute such an inquiry without notice given, to afford means of defence, and prepare new defenders in place of those who had so unexpectedly and strangely failed the learned Baron? In the name of those he was politically acquainted with—in the name of the country Gentlemen, the Magistrates, and Grand Jurors of Ireland, whose sentiments he ventured to assert he was speaking—he protested, in the strongest and most decided terms, against that extraordinary and uncalled-for inquiry. The concluding paragraphs of the Speech from the Throne had given satisfaction to vast numbers of the population of the north of Ireland; and the appeal of his Majesty to the "loyal and well-affected, to come forward in aid of the Government with vigorous and united efforts," had found a response in many a breast. That appeal had done more to dissipate the apathy, and secure the co-operation of thousands, than all the long and eloquent epistles which a distinguished advocate for repeal had addressed to their passions and their prejudices, had been able to effect in shaking their allegiance to the British Crown, and destroying their confidence in the United Parliament. But as their hopes had been raised, so would their disappointment be the more bitter, when they found the first practical fruit of the professions contained in the Address would be that inquiry, which had been denounced by one of the first authorities in the House as a fatal precedent not in accordance with usual forms, and which, while it grasped at vain and ill-founded popularity, was undertaken on slight and insufficient grounds, and could never be followed up by any ulterior measure of importance.

Mr. Secretary *Stanley* begged to address a few words to the House in reference to a communication he had had with the learned Judge. He begged to say that three or four days ago he received a letter from the learned Judge respecting the course which he might feel it his duty to adopt in reference to this subject. He had stated in reply, that wholly ignorant as he then was of the extent of the Motion which the hon. and learned member for Dublin intended to bring forward, he felt that a strong case, indeed, should be made out to justify any Motion for the removal of the learned Baron from the bench; but that before he (Mr. Stanley) had heard the charge and the evidence on the subject, he must decline to go into it. Having now heard the charge, and the evidence upon which it was brought forward, he felt it his duty as an honest man to declare, that he did not think there was a sufficient case to call for the learned Baron's removal from the bench; but that he did think a sufficient case had been made out for inquiry and investigation. He would not trouble the House much longer; but he would remind those who cried "Spoke" that he had not spoken upon the amendment. He would merely repeat what he had already said, that having heard the case, he did not think that it was one that would justify the removal of Baron Smith from the bench, but that it did seem to him one which rendered it essential for the House to inquire whether or not that learned person had been pursuing a course of proceeding detrimental to the interests of justice. It was with those sentiments, and with no wish to disparage the character of that learned Judge, that he (Mr. Stanley) felt it his duty, not as a member of the Government, or a member of a political party, but as an unprejudiced Member of that House, to give his vote for the present Motion.

Mr. *Barron* said, that the great majority of the gentry and Magistrates in his part of Ireland would, in conjunction with the people there, feel highly indignant if the House did not lend itself to this inquiry. They would have no confidence in the House if it did not do so; and its refusing such an inquiry would, he was sure, strike a fatal blow to the union of the two countries. It was not upon one, or two, or three, but on many occasions, that Mr. Baron Smith had delivered such extra-judicial charges as that of which the House had had a specimen that night. He hoped that hon. Members, in deciding that question, would not be biassed against the Motion by the political character of the hon. and learned Gentleman who had brought it forward. He could state, that other hon. Members, totally unconnected with that hon. Gentleman, had determined to bring the matter under the consideration of the House, and that they had only been prevented from doing so by the previous notice of the hon. and learned Gentleman on the subject. Let the House, he would say, decide the case not upon the merits or demerits of that hon. Member, but upon the facts as laid before it.

Mr. *O'Connell* in reply, wished to bring back the attention of hon. Members to the true position of the case. He had not moved for an impeachment, or, in other words, for removal; for he felt that such a course would be opposed, and successfully too. He asked not for condemnation, but simply for inquiry; and this on two grounds: first, for neglect of duty; and next, for abuse of duty, in mixing up with the performance of it political partisanship. He asked for inquiry, because Baron Smith, a Judge of the land, was a partisan; because he was not an impartial arbiter, or, at all events, was not looked on as such; because the people must suspect that the sources of justice were not clear—its administration not even-handed. He did it that the law should be respected—above all taint—and above all suspicion. Here was an absolute partizan, in a situation which empowered him to adjudicate on the lives and properties of thousands, and on their opinions, he having previously made up his mind and condemned them.

How was is it the Ministers should be so unanimous when coercion was talked of, and that when justice was asked for, there should be a mutiny? Should it be said in Ireland, that when coercion was asked for, Ministers could at once take the House along with them; but when the theme was justice, they were deserted? He did not mean to say they would negative his Motion. He believed they would not. All he meant to say was, that if they did refuse inquiry, both these deductions would be the natural result—that when Ireland was to be coerced, Ministers were unanimous, but when a partizan Judge's conduct was to be inquired into, the noble feelings of the heart were found to obscure the judgment, and the House sided against the people. All he demanded was a full, fair, and impartial inquiry; give him that inquiry, and he promised to substantiate his charges. Let them, however, pause in the nomination of the Committee till to-morrow—give him a fair Committee for a fair and deliberate inquiry—he asked no more. The defence set up against him was, that he proved too much. The learned Baron, it appeared, had been in the habit of sitting at unseasonable hours for many years. Was that a reason he should continue a practice inconvenient, and, in many cases, injurious to the ends of justice? One of the constituents of the noble Lord (Sandon) who had lately addressed the House, a merchant of Liverpool, went over to attend a trial in Dublin—returned without attaining the object he had in view, and was compelled again to visit the Irish capital, to the great injury of his business, in consequence of the late sittings of the learned Baron. It had been stated, that it was the habit of Irish Judges, going circuit, to go into Court late in the morning. This he denied: it was their invariable practice to take their seats on the bench at nine o'clock. If such was not the fact, why were not the parallel cases of other learned Judges quoted, and the House asked how it could punish Baron Smith, when other Judges were equally guilty? They were, however, not so. Baron Smith's was the isolated case; he it was whose conduct had justly been brought under the consideration of Parliament. Mr. Serjeant Perrin had obtained a return; and it was his intention last Session to have proceeded on it, if it (the Session) had continued long enough for the purpose he had in view. The learned Gentleman was now unavoidably detained in Ireland, which was the reason he was not the mover of the Resolution which he (Mr. O'Connell) had the honour of introducing that evening. The hon. and gallant member for Armagh had made statements which he was bound to believe—for he would most willingly give credence to all which he asserted had passed under his observation—but, in contradiction to his high authority, he would maintain, that a prisoner was forced on his trial at an unseasonable hour. He was put on his trial against his will; which reminded him of the 150 recruits, who, when they were observed marching handcuffed, the inquirer was told, with much *naiveté*, by the serjeant in command, they were only volunteers, on their way to join their regiment. He (Mr. O'Connell) was told triumphantly he had not accused the learned Baron of any other want of incompetence in the discharge of his judicial functions. True, he had not impeached him, but neither had he eulogised him. He had never said he was an erudite Judge. Baron Smith was never a lawyer of eminence. He never had practice when at the bar; and he believed that was some criterion to judge of the merits of the barrister. He did not taunt the Baron with this. No; he went on stronger and more stable grounds; he made out a case for inquiry; he demanded it upon the principle of just dealing; having obtained it, he would not disguise from the House that he intended to go further. It was said Baron Smith pointedly alluded to him; he did not do so; he was remarkably forbearing towards him; but he did that that could never be forgotten. He made a political harangue, when nothing was to be said—he declared he sounded the tocsin when the nation was to be warned. He did more—he sought to revive and re-animate religious dissensions. He hallooed on the Protestant against the Catholic—this was the *gravamen* of his (Mr. O'Connell's) charge; it might obtain Baron Smith partizans out of Parliament, but within its walls he did not think any one could stand up to justify it. Could the learned Serjeant, the member for Finsbury, with what ought to be the dignity and majesty of the Bench before his mind, contend that such was not prostrating and lowering that ermine which should ever be pure and undefiled? Was the justification to be found in the charges from the judicial seat, when French principles were rife, and Judges were requested to aid the executioner in staying their march, or in the charge of Mr. Justice Bayley in praise of the national debt? If inquiry were not granted, what security could the House have that the peasantry would seek for justice in a Court, which they may assert is presided over by a partisan opposed to them in politics? In conclusion (said Mr. O'Connell) "I demand inquiry on grounds which I defy my opponents to contravene—I ask it for the purification of the ermine—I demand it in vindication of the judicial character, for the sake of the Judge, who ought to be an abstract being of law and reason—I call upon you to grant my prayer in the name of justice and the Irish people."

Lord *Tullamore* said, having the honour of being on terms of great intimacy with Baron Smith, he could not hear the charges made against him by the hon. and learned member for Dublin without, before the House went to a division, making some observations. They had been asked if a judge under a Tory Government had made a liberal charge from the bench, what could be the treatment he would receive? Now, he would refer the House at once to a case in point. In the year 1814 a political charge was made from the bench by Mr. Justice Fletcher—a charge in which the conduct of the right hon. Baronet (Sir R. Peel), the then Secretary for Ireland, was strongly animadverted upon. That charge was afterwards published by that learned Judge, and, in the preface to it, he took credit to himself for its strong and solely political character. But the Tory Government of that day did not adopt the course which the Whig Government was now pursuing. They felt that that learned Judge was at liberty to make the charge he did, and they consequently took no notice of it. The noble Lord, referring to the charge of Mr. Baron Smith delivered in the Commission Court of Dublin, said, it was true that there were no political crimes in the calendar to which it could have reference; but at the time it was delivered, in a neighbouring county, in the county of Kildare, a learned gentleman who was as near as could be to being a judge, a gentleman who wore a silk gown, had addressed an assemblage of 40,000 persons in the most inflammatory language, pointing to a ruin which stood before them as the work of their Saxon invaders, and, in fact, arousing their passions by resorting to the most exciting and irritating topics. It was in such a state of things, and under such circumstances, that Baron Smith, in his address to the Grand Jury in Dublin, had felt it his duty to caution them and the public against the political agitation then in progress.

The House then divided on the original motion: Ayes 167; Noes 74—Majority 93.

Appointment of the Committee postponed.

List of the AYES.

ENGLAND.

Aglionby, H. A.
Althorp, Lord
Attwood, T.
Bainbridge, E. T.
Barnett, C. J.
Beaumont, T. W.
Bewes, T.
Bish, T.
Blake, Sir F.
Blackburne, J.
Blunt, C.
Bower, J.
Briggs, R.
Brocklehurst, J.
Brodie, W. B.
Brotherton, J.
Burdett, Sir F.
Campbell, Sir J.
Cayley, E. S.
Chaytor, Sir W.
Chichester, J. P. B.
Childers, J. W.
Clay, W.
Collier, J.
Crawford, W.
Davenport, J.
Dawson, E.
Dillwyn, L. W.
Divett, E.
Donkin, Sir R.
Dundas, Sir R.
Ellis, W.
Ewart, W.
Fenton, J.
Ferguson, Gen. Sir R.
Fielden, J.
Fort, J.
Godson, R.
Gordon, R.
Grant, Right Hon. R.
Grey, Hon. Colonel
Grey, Sir G.
Gronow, Captain
Grote, G.
Guest, J.
Gully, J.
Hall, B.
Handley, B.
Handley, —
Harvey, D. W.
Heathcote, J.
Hill, M. D.
Hodges, T. L.
Hutt, W.
Jervis, J.
Kennedy, J.
Lambton, H.
Langdale, Hon. C.
Lefevre, C. S.
Lennox, Lord G.
Lester, B. L.
Lister, E.
Littleton, Rt Hon. E. J.
Locke, W.
Macleod, R.
Mangles, J.
Marshall, J.
Marsland, T.
Maxfield, W.
Milton, Viscount
Molesworth, Sir W.
Molyneux, Lord
Mosley, Sir O.
Ord, W. H.
Paget, F.
Palmer, General
Palmerston, Viscount
Parker, J.
Parrott, J.
Pease, J.
Pendarves, E. W.
Penleaze, J. J.
Philpotts, J.
Ponsonby, Hn. W. F. S.
Potter, R.
Poulter, J.
Pryme, G.
Richards, J.
Rider, T.
Rolfe, R. M.
Romilly, J.
Romilly, E.
Rumbold, C. E.
Russell, Lord J.
Scott, Sir E. D.
Scholefield, J.
Scrope, P.
Seale, Colonel
Shawe, R. N.

Sheppard, T.
Simeon, Sir R. G.
Skipwith, Sir G.
Smith, R. V.
Stanley, Right Hon. E. G. S.
Stanley, Hon. H. T.
Strutt, E.
Tancred, H. W.
Tayleur, W.
Thicknesse, M.
Todd, N.
racy, C. H.
Troubridge, Sir E.
Tynte, C. J. K.
Vivian, J. H.
Walker, R.
Warburton, H.
Walter, J.
Ward, H. G.
Wason, R.
Whalley, Sir S.
Williams, Colonel
Wood, C.
Wood, Alderman

SCOTLAND.

Adams, A.
Elliott, Hon. Capt.
Hay, Col. L.
Jeffrey, F.
Loch, J.
Maxwell, J.
Murray, J. A.
Oliphant, L.
Oswald, J.
Oswald, R.
Pringle, R.
Stewart, R.
Wallace, R.

IRELAND.

Barron, W.
Bellew, R.
Blake, M.
Butler, Hon. Colonel
Chapman, M. L.
Finn, W. F.
Fitzgerald, T.
Fitzsimon, C.
Fitzsimon, N.
French, F.
Grattan, H.
Lynch, A. H.
Nagle, Sir R.
O'Connell, J.
O'Connell, M.
O'Connor, F.
O'Conor, Don
O'Dwyer, A. C.
Roe, J.
Ruthven, E. S.
Ruthven, E.
Sheil, R. L.
Sullivan, R.
Talbot, J. H.
Vigors, N. A.
Walker, C. A.
Wallace, T.

TELLERS.

Hume, J.
O'Connell, D.

List of the NOES.

Agnew, Sir A.
Arbuthnot, General
Baillie, H.
Bankes, W.
Baring, A.
Baring, H.
Barnard, E. G.
Bentinck, Lord G.
Blackstone, W. S.
Browne, D.
Bruce, Lord E.
Chapman, A.
Christmas, W.
Cripps, W.
Curteis, H. B.
Dalmeny, Lord
Dykes, F. L. B.
Evans, G.
Ewing, M.
Fleetwood, P. H.
Forster, C. S.
Graham, Sir J.
Grimston, Lord
Halcomb, J.
Halford, H.
Hanmer, Sir J.
Hardinge, Sir H.
Hardy, J.
Hay, Sir J.
Hayes, Sir E.
Henniker, Lord
Hope, H. T.
Hotham, Lord
Hughes, H.
Ingham, M.
Irton, S.
Jones, Captain
Johnston, A.
Johnstone, Sir J.
King, B.
Lopes, Sir R.
Lygon, Colonel
Moreton, A. H.
Peel, Sir R.
Pigot, R.
Plumptre, J. P.
Reid, Sir J.
Rice, S.
Rickford, A.
Robinson, G. R.
Ridley, Sir M. W.
Ryle, J.
Sandon, Lord
Scarlett, Sir J.
Sharpe, General
Sinclair, G.
Spankie, Serjeant
Tullamore, Lord
Tyrrell, Sir J.
Verner, Lieut.-Col.
Villiers, Lord
Vyvyan, Sir R.
Wall, B.
Welby, W. E.
Williams, W.
Willoughby, Sir H.
Wood, Colonel
Yorke, Captain
Young, G. F.
Young, J.

TELLERS.

Shaw, F.
Inglis, Sir R.

HOUSE OF LORDS,

Friday, February 14, 1834.

MINUTES.] Petition presented. By Lord KENYON, from the Vestry of St. Marylebone, for giving Poor Laws to Ireland, and for Amending the Laws for passing Vagrants.

HOUSE OF COMMONS,

Friday, February 14, 1834.

MINUTES.] Bill. Read a first time:—Jury Laws (Ireland) Amendment.

Petitions presented. By Colonel EVANS, from St. James's, Westminster; and by Mr. VIGORS, from the Parish of St. Pancras, for the Repeal of the House and Window Taxes.—By Mr. MURRAY, from Leith, against the present System of Lay Patronage in Scotland.—By Mr. FENTON, from Rochdale, for placing British Shipowners on the same footing as Foreigners trading to the Port of Canton.

REPEAL OF THE UNION.] Mr. Fielden presented a Petition from Ashton-under-Line, in favour of the Repeal of the Legislative Union between England and Ireland, signed by more than 4,000 persons.

Mr. *Feargus O'Connor* was pleased that so numerous and respectably signed a Petition, had been presented to the House on a subject of such interest to Ireland as that of the Repeal of the Union. He was glad to find that the petitioners ascribed the vices of the Irish to their proper source—namely, the misrule and mismanagement of the affairs of Ireland; justly believing that such vices were not characteristic of Irishmen. The petitioners justly set forth, that Ireland under its present misrule, was a burthen to the people of this country; and, moreover, that the expenses requisite to support this system of abuse and misrule had been ever drawn from the pockets of the English people. Notwithstanding the insolent denunciations and arrogance of his Majesty's Ministers, and their saying, they would resist it to the death, yet the question of Repeal was fast gaining ground in England as well as in Ireland; and the impression in its favour had been confirmed by the conduct of Ministers, during last Session, during the recess, and already even during this Session also. Last year was marked by an Act of the grossest injustice, and this was commenced by insolence and intolerance; aye, notwithstanding the promises of a Reformed Parliament, and the sayings of the Whigs, that it would be better that Ireland should be united to England in the same manner as Sweden was united to Denmark; notwithstanding such language in 1824, they seemed to act differently now, and withheld the only measure that could insure the permanent security of both countries. Was it to be endured that in a country overflowing with plenty, four-fifths of the population should be in a state of starvation? If the country were properly managed, notwithstanding the overgrown population it contained, its own resources would be more than sufficient for the maintenance of double the number, and there would be no petitions day after day brought up to that House, to send Irish vagrants to starve in their own country. It was vain to endeavour to stop the anxiety which was daily growing in the minds of the people on this question in Ireland. He would not go into the details of this question now; but he felt it his duty to express his coincidence with the petition presented by the hon. Member, and to assure that House, that it was the only measure which could redress Ireland's wrongs, or provide for her wants. It was quite in vain to make any endeavour to smother the demand for Repeal; the whole nation was in a flame; and no power could put it out. He had a peculiar interest in this question—though he had other claims on the suffrages of his constituents—yet he stood there the avowedly pledged advocate of this great measure; and, as such, it was his duty to ascertain, whether the people understood the principle of the question, or whether it was merely a clap-trap; and he could say, that, after taking the sense of his constituents, seven out of ten were not only able to give an opinion on its merits, but were inflexibly determined to persevere in their exertions to obtain it. They well knew what it was to toil from morning till night, and yet be starving; what it was to labour for twelve hours, and have nothing to sleep on at night but a truss of straw, and nothing to eat but a dry meal of potatoes. Hon. Members would deceive themselves if they thought that they could suppress a demand, the success of which could alone alleviate such distress and destitution. He would look to nothing else but the essential justice of the question for its success; and though it might be imagined that the hon. and learned member for Dublin was the sole advocate, or promoter of this question, though any question that was deprived of his unequalled talents, suffered much from such loss, yet he was so little the only advocate of this measure, that if his valuable services were lost to-morrow it would only excite the people to redoubled exertions. He regretted that the right hon. the Secretary of the Treasury, the great champion of the Opposition of Repeal, should now leave the question, and dared not come down to the House to argue it without being backed by the Treasury Members. But what did that right hon. Gentleman know of Ireland?—Nothing. Let him take the manufacturers and the people who are engaged in trade in Ireland, and he would find, that the Repeal of the Union was insisted on. He could tell the House, that Ireland free, was as the right arm of England, but Ireland bound to her, was as though heavy chains were on both.

Mr. *Macleod* rose, to enter his protest against the Repeal of the Union being considered solely an Irish question. It was a great Imperial question. He deprecated the hard language which had been used against his Majesty's Ministers, who were not present to defend themselves. For himself, he could not perceive that the Repeal of the Union would produce all those beneficial results which were anticipated by the petitioners. The hon. Member who presented the petition had himself said, he could not tell whether the Repeal would be right or wrong to concede, and therefore it did not appear that it was making any very great progress. He begged pardon for troubling the House, having merely risen to protest against the question being considered only an Irish one.

Mr. *Cobbett*, like his hon. colleague, last Session, did not know whether the Repeal of the Union would be productive of good or evil; but, since then, he had seen the question so much agitated, and he had seen his Majesty's Ministers so angry upon the subject, that he began to suspect the Repeal would be a good thing. He had attended with the greatest care and attention to all the arguments both for and against the question; and he was now of opinion, that a Repeal of the Legislative Union would be a good thing for England and Ireland. A sort of reproach seemed to be heaped on those who advocated the Repeal, as if there were something monstrous and dangerous in the cry; but they all knew that separate Legislatures did exist only thirty-four years ago; they all knew also by what means the Union was effected, and that it was by more bribery and corruption than under any Government which ever existed. England was even now paying compensation for that measure, and taxes were now levied on the people of England to pay the cost of that bribery and corruption. Bribes were then given, not only *instanter*, but in futurity, and were allowed to descend from father to son. Well, then, what was the real question? Why, it was simply this—whether the Union existed for good or evil—whether it produced good or evil to their constituents? He was satisfied, that the Repeal of the Union would produce good. He was sure of one thing—that let them do what they liked, they could not, by any means, produce more evil than the Union had done. What had it produced?—were not the people always in a state of half rebellion?—were not 30,000 troops, with a large force of a Bourbon Police, kept up in order to keep them in something like peace?—all of which put the country to an enormous expense. Were not the people of Ireland in a starving condition, while it was perfectly well known, that that country imported into England three times more corn than any other country, or indeed all other countries put together. The people were all starving; and yet he was told, that in the month of June, 1831, 1,000 hogs passed through one turnpike in Berkshire, every one of which came from Ireland. The half of Lancashire, and the half of the West Riding of Yorkshire, were fed by meat brought from Ireland. Then that must be a good country, and the people must be an industrious people; or how could all that meat be obtained?—yet they required all the force to which he had before alluded, to keep the people in order, because they were not allowed to have any of this meat. It must be a bad Government that Ireland had when such scenes occurred, and when this country's labour was taxed to such an enormous extent to keep down such an industrious people, as the statement he had made proved them to be. Then, why should they not discuss the question of the Repeal of the Legislative Union?—at least, why should the Ministers advise his Majesty—much, he was sure, against his Majesty's feelings—to scold his Irish subjects? On a former occasion, he had said, that he remembered the time when the question of Reform was treated in the same way as the Ministry now treated the question of Repeal. He well remembered the time, when a Reformer, a Member of that House, had thought it prudent to go across the sea, in order to escape from Sidmouth's dungeons; and yet that man had lived to see a Ministry, who called themselves a Reform Ministry, and a Parliament, who, every day, almost, boasted that they were a Reformed Parliament. So it would yet be with the question of Repeal, if the Ministry pursued their present course, and refused any discussion on the matter.

Colonel *Williams*, although he fully admitted the statements that had been made by the hon. member for Oldham, as to the deplorable state of Ireland, could by no means agree with him in thinking, that the Repeal of the Union would produce an amended state of society in that country. Notwithstanding the great talents of that hon. Member, all his arguments in favour of a Repeal of the Union might easily be combatted and overthrown. He recollected perfectly well the period when the Union took place; he thought Mr. Pitt was pursuing the wrong course, and that instead of any Union taking place, his proper course would have been to have Reformed the Irish Parliament; but the Union having taken place, he doubted very much, whether any good could be effected by its Repeal.

Mr. *Finn* congratulated the Repealers, and the people of Ireland at large, on the speech of the hon. Member opposite (Mr. Macleod), which had called forth one from the hon. member for Oldham, for which the people of Ireland were greatly indebted. What he had stated with respect to the people of Ireland was perfectly true. The statement, that the Reformers had been denounced by the Whigs, was equally so; for Mr. Canning himself had called them, a low, and degraded crew. He was convinced that the Repeal of the Union was a measure founded in justice, would be advantageous to both this country and Ireland, and was the only means of producing contentment, peace, and order, in Ireland, and giving security to this country.

Mr. *Potter* thought, the vote of last

night would have convinced the Irish Members of the determination of the House to do justice to Ireland. He understood, that the present Secretary for Ireland, in the discharge of his duties connected with that country, gave the greatest satisfaction. The hon. member for Oldham had spoken of the great quantity of cattle sent from Ireland to this country; that, in his opinion, showed that Ireland was a great producing country. He was quite convinced, that if time were given, the House would do justice to Ireland by instituting either an absentee tax or a modified system of Poor-laws.

Mr. *Hardy* said, he did not mean to put a stop to the present discussion; but the time of this House ought not to be spent on by-battles upon a question which must come in a more solemn shape before the House, and receive that consideration which its great importance demanded. He was sorry that such lengthened discussions should take place upon the mere presentation of a petition. He could get up hundreds of such petitions in different parts of England. In the county of Lancaster thousands upon thousands of signatures could be attached to such petitions, and in all the large towns of the north of England. It was supposed, that such a measure as the present would relieve them from the great influx of Irish labourers, and not because it would effect a dissolution of the Union between this country and Ireland. What many of the persons who signed petitions like the present were told, and believed, was, that if they could only obtain a repeal of the Legislative Union, it would send back all the competitors in the field of labour, who had already so much reduced the wages of the manufacturing and agricultural population. This was the argument which had been held forth to the deluded people. In the town of Leeds there were not less than 8,000 resident Irish; in Lancaster there were more; in Barnsley there were many thousands; and when this impression had been made upon that class, which were now fashionably called "the operatives,"—when they were told, that such a measure as that contemplated by the present petition would prevent the influx of Irish labourers, by which their wages had been considerably lowered, it would not be very difficult to procure thousands of signatures to such petitions, though those who signed them knew nothing of the consequences of such an important measure as the dissolution of the Legislative Union between this country and Ireland. Whenever that question came before the House, he would listen to the arguments brought forward in favour of it with the greatest attention, and give it all the consideration in his power. At the same time he could not see how the dissolution of the Union could have the effect of producing all that prosperity which some members of that House anticipated. There was, in the present Parliament, no indisposition to listen to the just complaints of the Irish people, or adopt whatever measures might conduce to their prosperity. He did not think, that a resident Parliament could have the magic effect which some persons anticipated from it. They had a lamentable instance of the truth of that position in the starving condition of the people of this country, which the Legislature had in vain tried to improve; and how could it be said, that it would do that in Ireland which it had failed to do in the country where it at present existed? He hoped they would continue a united, a free, and a happy people. He did not wish to see the interests of one country advocated in preference to another; the interests of England, Ireland, and Scotland were one and the same, and he trusted that they would be discussed and treated as one common topic.

Mr. *Ruthven* could not enter into the sentiment expressed by the hon. Gentleman, who pretended to deplore the waste of the time of the House in receiving Irish petitions. It would be unjust and hypocritical in Irish Members if they did not take up the time of the House on this great and important question. Many opportunities would arise, and, he trusted, would be taken advantage of, to discuss that question, for it was only by perseverance in so great an object as the repeal of the Union, that they could hope to succeed. They had great prejudices and party feelings to contend against, while the power of Ministers and men in office would be directed to oppose them. They found that even the royal name was abused, for the purpose of denouncing that object, and pointing them out as dissatisfied subjects only to be treated with "just indignation." He was glad to hear that expression, for he knew both its use and its absurdity; for, while on the one hand, it did not deter those who had begun, it had made ten new repealers where only one existed before. It made the friends of Ireland, finding that she was not protected in Royal Speeches, stand up in her favour. Such expressions only tended to agitate both the people of England and Ireland, until they would, by constitutional means, defeat those who seemed disposed to drive them into rebellion. Indeed, they were not to be diverted from their course, until they obtained the freedom of Ireland. It should be remembered, that the people of Ireland amounted to 8,000,000; they ought to have a Legislature of their own. Bad as the Irish parliament was, it had not been improved by being transplanted to an English soil. The Irish Parliament, at the period of 1782, had an illustrious leader, who made England succumb to them; and England would be obliged again to succumb to Ireland. England dared not to go to war at present with eight millions of discontented subjects. Was he to be told, then, that it was wasting the time of the House to receive the petitions of the Irish people? Let them send the Irish Members home to their own country, where they could do a great deal of good, which they could not do here. The denouncement of the Repeal of the Union, had led to deep thought: but they were told that to petition was a crime in the eyes of the Ministers, and a species of agitation to be put down by the name of the King and a Ministerial mandate. Was it agitation to demand their rights? It might be called so, but he would be one to advise the people to petition, and to continue to petition for that Repeal, and the granting of their petition would be the best act of the Legislature. Ministerial mandates, Royal Speeches, and Proclamations might be sent forth *ad infinitum*, until the well paid printers grew tired of them, and they would have no effect except that of exciting the people to renew their petitions for their rights. He with other Irish Members, deplored the existence of absenteeism; but the cause of the mischief was, that they were under a species of foreign policy. The Irish Members were in this country as foreigners, and treated as foreigners, and though they stood up to do their duty, they found they were prevented from doing so to a great extent. He thought it was unnecessary for him to make any apology for attempting to support the rights of the Irish people, and the Repeal of the Union.

Lord *William Lennox* did not like the expression of foreign Parliament. He could assure hon. Members for Ireland that English Members sympathized with them in every thing that called for their good feeling. He was open to conviction on the topic of Repeal; he had not made up his mind on it; but even the member for Oldham, who possessed twice his (Lord Lennox's) experience, and ten times his talent, acknowledged, that till last year, he had not been satisfied of the necessity of the measure. Though, at present, he did not believe that benefit would result from the carrying of such a measure, yet his mind might attain that conviction.

Petition laid on the table.

THE BUDGET.] Lord Althorp moved that the House resolve itself into a Committee of Ways and Means.

The Speaker accordingly left the Chair, and it was taken by Mr. Bernal.

Lord *Althorp* proceeded to address the Committee, as follows:—In pursuance of the notice I gave on a former evening, it is now my duty to call the attention of the House to my view of the present state of the finances of the country. I hope that hon. Members will reflect upon the period of the year at which I am now speaking—that I am about to advert to the prospects of the financial year, which will not in fact commence until two months after this period. Therefore, though I thus early invite the attention of the House and of the country to the subject, it is impossible to do it in any but a general manner; and it will be quite in vain for me to attempt anything like accuracy as to the amount of expenditure in the ensuing year. It may be asked why I have taken a different course this year to that which I adopted last year; and I will fairly answer, that last year there were various reasons which induced me to think it would be better not to introduce the subject to Parliament until after the commencement of the financial year. Among other reasons, one that mainly influenced me was, that if I had made my statement last year at the period I have now chosen, I should have had to state to the House that the surplus of the Revenue amounted to less than 700,000*l.*; whereas I was quite satisfied that if I waited until nearer the end, I should be enabled to mention a much larger sum. I could not, therefore, suggest those reductions which I was quite sure I should be able to propose, without appearing to deduct from the Revenue more than would have been deemed prudent. For that reason I thought it would be better for me to delay my statement. At the present time I do not see reason to expect that any considerable change will take place by the end of the present quarter. Before I state what that surplus Revenue has been, I wish to recall the attention of the House to the condition of the balance of the receipt and expenditure during the last four years. At the end of 1830 the amount of the balance in favour of the country was 2,914,000*l.*; but several taxes, pretty large in amount, had been reduced during the preceding year, which did not come into operation so as to affect the Revenue until 1831. I think I stated—and a right hon. Gentleman not now in his place, I believe, entirely concurred with me—that even if in 1831 I had proposed no reduction of taxes whatever, the effect would have been, instead of a balance in favour of the country of 2,914,000*l.*, the balance would only have been 700,000*l.* But I thought it right to propose a considerable reduction of taxes; and in consequence of that reduction, added to the reduction to which I have already alluded, there was a deficiency, at the end of the year, of about 700,000*l.* I was, however, not alarmed; I felt confident that the resources of the country were such, that though taking off particular taxes might at first produce a deficiency, the Revenue would soon recover. The deficiency continued during the April quarter, and at the beginning of April, 1832, it was 1,240,000*l.* The amount of taxes reduced was very small during that year, and, as I expected, the Revenue recovered, so that at the end of the last financial year, in the commencement of last April, instead of a deficiency, there was a surplus of 1,487,000*l.* Last year we again reduced a considerable amount of taxes; in 1831 and 1832, the amount of taxes reduced was 1,790,000*l.*; and, in 1833, it was 1,545,000*l.* When I state the amount of taxes repealed, I mean the amount produced to the Revenue previous to the repeal, and not the amount at which I estimated the loss; I mean the relief given to the country amounts to taxes which I have repealed. The whole reduction by repeal was 3,335,000*l.* in the two years. But notwithstanding these reductions, I am happy to say, that the balance on the 5th of January last, gives a surplus Revenue even larger than on the 5th April last, amounting to 1,513,000*l.* and upwards. This statement must, I apprehend, be satisfactory to the House, that notwithstanding our continued reductions of taxes, the constant operation of improvement in the other branches of the Revenue has been such, that not only has a deficiency been prevented, but that the surplus has actually been augmented. I do not myself see any reason why we are not to expect a continuance of this prosperity. I need not anticipate, therefore, any diminution of this surplus; but, in addition to the surplus, I have to inform the House, that, in round numbers, the estimates of this year, in comparison with those of last year, will be reduced by the sum of half a million. I hope hon. Gentlemen will recollect, that during both the two last years, a very considerable reduction in the estimates took place; and they will not consider that we have been remiss in our duty, if the reduction of the estimates does not amount to more than the sum I have stated. The half million thus saved may, of course, be added to the surplus Revenue, and will raise it from 1,500,000*l.* to 2,000,000*l.* But there is another source from which we have a right to expect a considerable increase of Revenue during the present year, and that without imposing any fresh burthen on the people. The House is aware that, according to the arrangement that took place on the renewal of the Charter of the East-India Company, the mode in which the tax has been levied upon tea has been altered. It is no longer an *ad valorem* duty: though it was very capable of being collected in that shape while the tea was sold by the East-India Company, it would be very difficult to collect an *ad valorem* duty when tea is sold freely by a great number of merchants. Therefore, a change was made, as far as could be calculated at the time, viz. in June last, and the Revenue was fixed at a rated duty, pressing with the same weight upon the tea trade as the *ad valorem* duty. It must be evident to the House, that though that might have been the case in June, if the price of tea, from any circumstance (as I hope and believe it will) should be reduced, the fixed rate of duty will bear a larger proportion to the price of the article than the *ad valorem* duty. I believe that will be the case; but still the amount of duty, per pound, of tea, will not be greater than at the date to which I allude. The effect, however, of this change, is material in another point of view: if, by bringing a large quantity of tea into the market under the old system, the price was diminished, the duty also would be diminished; but, according to the new system, under a rated duty, any increase in the amount of tea consumed, will produce a comparative increase to the Revenue. It may be said, that if we are to obtain a larger amount of duty from tea than hitherto, it would be a reason for reducing the duty; but looking at the general state of the Revenue, and at the different taxes to which I know our attention will be directed, I am not prepared to say that a reduction of the duty on tea ought to be adopted. At all events, from the cessation of the monopoly of the East-India Company, we may expect, the duty being the same, the tea will be reduced in price. But we are quite sure, that such will be the case next year, because the East India Company, instead of bringing to their quarterly sales eight millions of lbs. of tea at each sale, it is the intention of Government, in disposing of this tea, to bring forward nine millions of lbs. at each quarterly period. This, let me remark, is an object of great importance, totally unconnected with the general Revenue of the country. It will be of great importance that the stock of tea in the hands of the Company should be diminished as far as it can, so as not to interfere with the general trader in the spring of 1835, when he comes into the market. The change was not adopted, however, in order to occasion an increase in the Revenue, but on the broad principles of commerce. The average amount of the produce of the Tea Duty has hitherto been 3,300,000*l.*; that being the amount of the *ad valorem* duty on the 32,000,000 lbs. of tea annually brought into the market by the Company. Now, it is the intention of the Government to bring to market, this year, 36,000,000 lbs.; and no doubt the private trader afterwards will bring as much or more than 36,000,000 lbs. of tea, and the duty upon it, instead of being, as at present, 3,300,000*l.*, will be 3,900,000*l.*; giving an addition of 600,000*l.* to the Revenue, and making the total surplus 2,600,000*l.* I will presently state what I calculate are likely to be the resources of the country during the ensuing year; but first let me notice what additional calls upon it will be made. The main additional call—indeed I may say the only one—is the money that must be provided to pay the interest of the loan to be raised for the grant to the West-India Proprietors. That loan, the House knows, amounts to 20,000,000*l.* sterling, and we cannot estimate the interest upon it at less than 800,000*l.* I have stated that the amount of the surplus Revenue, if nothing be taken from it, will be 2,600,000*l.*; but we are obliged to deduct from that the 800,000*l.* for the interest of the loan of 20,000,000*l.*, which will then leave a surplus Revenue of 1,800,000*l.* I will admit at once, that no man who has heard me express my opinions on such subjects in this place would feel much doubt that I should say upon this prospect, that, having a surplus of 1,800,000*l.*, a reduction of taxes ought to be made. But I hope and trust the House will not think I do little, if at this early period I propose only a moderate reduction. By looking back, at previous years, I think hon. Members will see the great importance of attending to one principle—and here I cannot but blame myself for not having sufficiently attended to it in 1831, for the effect of making too large a reduction in one year was, a considerable deficiency was occasioned on comparing the expenditure with the revenue. By taking a smaller amount, and proceeding gradually, if the House has the patience not to urge us on too rashly, I really believe, from what I know of the resources of the country, that, year after year, we may be able to afford the people important relief. I hope and trust, therefore, that the House will not press for anything beyond what I have mentioned. I am prepared to say—and I apprehend there can be no sufficient reason for my not saying, thus early in the Session, that it is my intention to recommend the House to reduce taxes to the amount of 1,200,000*l.* It is impossible for me not to congratulate the House on one point that I have already touched. This country and this House, for the purpose of doing a great act of justice—for the purpose of setting an example, which, I hope, will be imitated by other countries—were prepared to come forward and make an enormous sacrifice of 20 millions: at this price we bought the Abolition of Slavery. When we consider that, notwithstanding the effect of that determination, I come not to announce that an additional burden of taxation will be necessary, but to state, that notwithstanding the sacrifice, we are still able to make a considerable reduction in taxation, surely I state what is a fair ground of congratulation on the great and unimpaired resources of the country. This must be satisfactory, not only as it proves the power and resources of the country, but, because it shows, though we were ready to do this great act of humanity and justice at almost any sacrifice, and although it should subject us to most inconvenient pressure, yet, that we are able to do it, without adding one farthing to the pressure of taxation. I do not believe the House will be much surprised, when I name the tax to which I mean to apply this reduction. At the end of last Session I intimated pretty strongly that, if the state of the revenue would bear it, I should this year propose the Repeal of the House-tax. It is my intention to make that proposition to the House, but, I must, at the same time, say, that with respect to this tax, on many points, false impressions have gone abroad. It has been asserted, among other things, that the House-tax is a war tax, and that it is a breach of faith to continue it. Instead of its being a war tax, the Act of 1808, by which it was increased, expressly stated that it was enacted as a permanent addition to the revenue. I need not also mention, that if I were to look at this simply as a financial question, I think there are other taxes the repeal of which is more desirable. But I have stated on former occasions, and I feel it very strongly, that it is one of the ingredients in the impropriety of a tax, that it is most exceedingly unpopular. Taking all the circumstances into consideration, and looking at the state of the revenue, I do think that the best suggestion I can make is, that the House-tax should be repealed. But hon. Members must recollect, that when I propose the repeal of this tax, it absorbs the whole amount of the 1,200,000*l*. No—not the whole—for considerable reductions having been made last year, the amount of the tax which remained was only 1,170,000*l*., and to this was to be added the saving upon the estimates. If the House be of opinion that this should not be the tax, I hope it will not press upon me the reduction of any other of larger amount. I do not say, that I should not be inclined to repeal one or two other taxes, but it is not desirable to state what they will be, until I am prepared to bring in a Bill for the purpose; but, provided the revenue continues flourishing, as I expect it will, I hope I may be able to suggest certain regulations and reductions which, to a small extent, will still further lighten the public burthens. If, however, the House concurs in the fitness of repealing the House-tax, I earnestly hope it will support me in resisting the reduction of any large amount of taxation. It is not my intention, at the present moment, to introduce any Bill for the abrogation of the House-tax; I wish first to see how certain questions, regarding which notices have been given, are disposed of. I must take care not to reduce the tax until I am quite certain of those that remain, and I shall not reduce it until I am sure I shall not be forced to reduce others. I know that, in discussions upon these subjects, the House-tax and the Window-tax have always been coupled. They are both taxes upon dwelling-houses, but some objections always urged to the House-tax do not apply to the Window-tax. I do not admit that the House-tax bears really unfairly, though it does so apparently, upon the lower class of houses: it certainly applies rather to houses in towns than to houses in the country; but, be that as it may, the objection cannot be urged against the Window-tax. Since the year 1822, the amount of the Window-tax has been reduced no less than 1,466,376*l*. Thus great relief has already been given as far as respects the Window-tax; and the sum at present derived from it is 1,273,000*l*. If, therefore, the House has due regard to the wants and credit of the country, it will not add the repeal of the Window-tax to that of the House-tax. I should like, upon this point, to refer the House back to that year which, with all economical Reformers, has been considered the golden era—1792. I will compare what the taxes upon dwelling-houses produced in 1792, and what they produce now. In 1792 the tax on houses and windows amounted to 1,129,000*l*.; but when the House-tax is reduced, the whole of the taxes on dwelling-houses will not amount to more than 1,200,000*l*.; so that, at the present hour, notwithstanding the enormous increase in number, the tax on dwelling-houses will scarcely yield a larger revenue than in 1792. I think, therefore, that any demand for the reduction of the Window-tax, in addition to the House-tax, will be admitted to be unreasonable. I dare say I shall be told, that in the proposition to repeal the House-tax, I am giving relief to the trading interests of the country, when it is admitted, and when Ministers themselves have admitted, that the landed interest is so seriously distressed. I cannot deny the force of that statement; and it will be for the House to decide whether it will adopt my suggestion or reject it, for the purpose of applying relief to a different interest by reductions of a different kind. But I would say this to the landed interest—that I do not think the pressure upon it arises so much from public taxation as from local burthens. If I remember rightly, that point was urged by my hon. friend who moved the Address; and for this reason, I contend that Ministers are not neglecting the landed interest, when they are about to introduce measures to relieve it from the payment of tithes. I am sure that hon. Members who cheer me well know what I mean. It is not my intention to abolish tithes—to get rid of the clergy altogether—but what I meant was this, that we propose to relieve the occupiers of the soil, by the commutation of tithes, from the vexation and annoyance to which they are at present exposed. This will be a relief, give me leave to say, from a very great burthen, as I am sure every man connected with land will be ready to admit; and, in making such a proposition, I shall be doing what is most beneficial to the landed interest, and more particularly beneficial to the occupiers of the soil. The other point to which Ministers have pledged themselves to apply their attention, is the amount of the poor-rates; and I assure the House, that if we are able, upon these two questions, to propose measures satisfactory to the House and to the country, we shall do more to give relief to the landed interest than the amount of advantage which we now design to give to any other class by the repeal of taxes apparently applying more exclusively to it. With respect to Ireland, I do not mean, at the present moment, to state the measure which we have in contemplation; but, I may say, that I have in view a financial plan which will give considerable relief to that country; and I hope, it will be so arranged as, at the same time, to occasion no reduction of the revenue. More I cannot state on this occasion: it would be improper for me to add more, before I am in a condition to detail the nature of the intended Bill. I have now, according to my promise, stated my general view of finance. I began by saying, that I did not mean to enter into any details, and I do not pretend, in my statement, to have observed any great nicety and accuracy; but I have brought under the consideration of the House and of the public the general view I take of our financial situation and prospects. Having done so, I beg to put into the hands of the Chairman a Resolution—"That, towards the Supplies, the sum of 14,000,000*l.* be raised by Exchequer Bills for the service of the year 1834."

Mr. *Robinson* said, that on the whole the statement of the noble Lord was extremely satisfactory, in as far as it indicated the condition of the resources of the country, although he was free to confess, that there were some parts of the noble Lord's speech, from which he differed. The first thing he must remark was, that experience ought to have long since convinced our financial Ministers, that the more the resources of the country were relieved from taxation, the more prosperous became the revenue of the country. It had once been supposed that the revenue was reduced to the amount that taxation was reduced, but that was now so well known not to be the fact, that he was surprised the noble Lord had not carried his reductions further. He asked the noble Lord why he could not apply the whole of the surplus revenue to reduction of taxation? The noble Lord, however, proposed to leave an untouched surplus of 600,000*l.*; but on former occasions, he had himself argued in favour of relieving the people from taxation to the full amount that the income exceeded the expenditure. Taking the general desire for reduction into consideration, he thought the noble Lord ought to apply the whole of the surplus to the reduction of taxation, for he must expect to be hardly pressed for many other reductions besides that which he had proposed. The noble Lord could not have expected that the House would be satisfied merely with the repeal of the House-tax; but if the Window-tax were also included, it was not to be disputed that some new impost must be substituted for a portion of it. The plan suggested would leave all the expensive machinery for the collection of the whole tax, while only half of it was abrogated. He had always looked upon both the House and Window-tax as unobjectionable in principle. If fairly apportioned, they were taxes upon the property of the country, and bore peculiarly upon the middle classes; but the noble Lord might have found means to obtain the same amount by a more equal arrangement. He knew that many persons would be relieved by the repeal of the House-duty; but they were people who could afford to pay, and not the class of persons who required relief; on the contrary, those who would get relief by this measure, were the very persons on whom additional taxes might properly be laid, if the service of the country required additional taxes. It gave relief to people of large income, while it afforded none to the poorer classes. He would say, that more general relief would be afforded to the country by the reduction of the smaller class of duties, which were very vexatious, and ought to be repealed to the full amount of the 1,200,000*l.* which the noble Lord intended to take off the Assessed-taxes. He gave the noble Lord full credit for his wish to afford relief to the country. He was sure that the noble Lord was most anxious to relieve the people, consistently with his own views of what that relief ought to be. His views were different from the noble Lord's upon the subject; and he conceived, that those small duties should be taken off which were admittedly unfair and partial in their operation, and called loudly for revision. That was a course which had been suggested by the right hon. member for Dundee; and it would have been well to have followed it. By that, the lower classes would have been relieved, and many vexatious petty imposts might be done away which interfered with the trade of the country. He would not urge his views further at present. He believed the statement of the noble Lord would not give generally satisfaction to the country. His Majesty, in his Speech from the Throne, had stated that the agricultural interest was in a state of distress; yet no plan was stated for the relief of the agricultural classes. This was an anomaly in the measures of the noble Lord, which required a change. The manufacturing interest, which is declared by his Majesty to be in a state of prosperity, was to be relieved to the amount of 1,200,000*l.*; while no relief whatever was afforded to the agricultural interest, which was declared in the same Speech to be in a state of great distress. He was bound in justice to say, that, in his opinion, it did the Government great credit, that they were enabled to reduce the taxes by half a million, notwithstanding the former reductions made both by them and their predecessors; and he was willing to believe that they were anxious to make every reduction consistent with the proper conduct of the public service. He thought the statement of the noble Lord fair and candid; and admitted, that the Government had redeemed their pledges of exercising economy and retrenchment.

Mr. *Cobbett* said, that after the statement he had heard from the noble Lord, he rather wondered that the noble Lord should have made any statement at all; and, to him, it did not appear that there was any good reason why the noble Lord should have made one now, excepting it were to stop them from asking for the repeal of taxation. The noble Lord had spoken to see how many would cheer his statement. He spoke to sound them—to see if they would continue to bear their present burthens; for, indeed, the noble Lord was taking nothing from those burthens by reducing the House-tax, and to ascertain with what feelings they would continue to bear them for the future. The noble Lord had admitted, that the House-tax was unobjectionable in itself, and even just in principle. He agreed with the noble Lord that it was unobjectionable, and that it was a fair and proper tax; he agreed with him too in saying, that there were other taxes which were preferable to be taken off; but although he was a popularity hunter, as he had once been called by the hon. member for Hull, he would not have taken the House-tax off, if he had been in the noble Lord's situation. If he were convinced that the tax was a bad one, he would, perhaps, have taken it off at once, but he would not otherwise have taken it off after what had taken place. It was an encouragement to the people to demand the repeal of taxation; and the noble Lord might have remarked that he (Mr. Cobbett) never recommended the non-payment of taxes, either in speaking or writing. The noble Lord certainly encouraged the people, though he did not exactly recommend them, to demand the repeal of taxes. Now, they wanted the repeal of the Malt-tax and Hop-duties. He had at this moment some young hop-cuttings quite ready; and this he would say, that no excisemen should ever touch those hops. "I wish (continued the hon. Member) to see the good old custom restored, of having a little malt-house attached to every farm-house. I am determined that I will have a malt-house before next Michaelmas-day. The noble Lord may say, that he will send the exciseman to seize it. Will he? I will not allow the exciseman to touch it. But the noble Lord may say he will send soldiers to assist. I will then plant a battery of barrels of English beer at the door, and if the soldiers have one drop of true English blood in them, they will not go an inch further. We will all make malt. The noble Lord encourages us to make it; and that is much more rational and beneficial to the country, than the refusing to pay the House and Window taxes." He had cheered the noble Lord when he stated that he intended to relieve the landed interest; but did it look well, after his Majesty had spoken of the distress of the agriculturists, that the noble Lord should come forward with no proposition for their relief. The noble Lord had stated, to be sure, that the landed interest would be greatly relieved by the non-payment of Tithes. He knew that the noble Lord, when he said so, did not mean that the landed interest should not continue to pay Tithes—he merely meant that there should be a commutation of Tithes. Now, did the noble Lord mean, that after the commutation, the Tithe-owner should get less from the land than he did at present. That was the real question to answer. The name of Tithes was not the grievance, and it did not signify under what name the Tithe was raised. But if the commutation amounted to as much as the Tithes by name, there would be no relief at all; and if it did not amount to as much, it would be the taking away of part of the property of the Tithe-owner, unjustly, and without assigning a reason. In this manner it would be a robbery, a confiscation of property; and the noble Lord, with all his ingenuity, could not put a different interpretation upon it. It would certainly be a means of benefiting the landowner to take away the Tithes, but these Tithes were the property of the Tithe-owner. He would say, that thus taking the property of the Tithe-owner, unless the same plan were extended to the other classes of the community, and especially to the fund-holder, would be a confiscation of the property of the Tithe-owner, which the House ought not to sanction. The Government had no more right to take Tithes than they had to take the coat off his back. One of two things would necessarily take place—either there would be no real relief to the landed interest, or it would be obtained by a greater pressure on the lower classes. How was the occupier of land to be relieved? He could not conceive. If the occupier of land had a lease for four years, it would be better for him to give up half his stock than keep it. Then the land would come into the hands of the landlord; but would the occupier get a better bargain? Certainly not, but a great deal worse; and he (Mr. Cobbett) would say plainly, that if he were a landlord, he should give the tenant a worse bargain. But there was another mode of relief in view. There was to be a change in the Poor-laws: but what change was it to be? Was it to give the labourers less than they had at present? No. Their intentions were very kind—they intended to make them more comfortable; but, some how or other, they meant to take something away from the poor. They must, however, have something. Did they mean to lessen the relief that was now to be obtained? They dared not attempt to do it. They would not venture to carry into effect the recommendation of the Poor-law Commissioners, or to leave the people to feed upon potatoes and salt, or upon garbage like dogs. He did not say they were going to do so—he merely put the case hypothetically; but he could tell them, instead of relief, it would add most enormously to the sufferings of the landlord. The country gentlemen knew this as well as he did. The labourers belonged to the land; and did they think that, by taking anything from them, they would relieve the farmer and the landlord? How, then, was relief to be afforded by this measure? There might be some necromancy in it—some conjuration, or some cavil about words; but if they attempted to do such a thing, he would tell them, that instead of being relief, it would be the greatest curse the House could inflict—it would increase the dissensions that now existed in the agricultural districts tenfold. If the peasantry were once driven to worse food than they had at present, the House would soon see, instead of the petty war at present carried on in the agricultural districts, a determined opposition to oppression.

Sir *Robert Peel* said, that as the noble Lord had not gone into any details as to the state of our finances, it was not his intention to touch on any of them. He would, therefore, only refer to the prominent topics of the noble Lord's statement. The first point on which he felt bound to say a few words, was the great reduction of the expenditure of the country, or, more properly speaking, to that portion of it which admitted of reduction; for the great mass of the expenditure did not admit of reduction, consistently with the observance of national faith; and he must assert, looking to what had been already done, that the reduction in the estimates this year of half a million below those of the last, was as much as could be expected, and did credit to the Government. The noble Lord assumed, that he would have a sum of 2,600,000*l.* at his disposal. He made this out by,—first, an actual balance of 1,500,000*l.* above the demands of the year; then, 500,000*l.* was calculated as the amount of the probable reduction of the estimates of the present year below those of the last; but this could not be calculated upon as permanent revenue; for though circumstances might be such this year as to enable Government to make that reduction, different circumstances might arise next year which might render it necessary to increase those estimates even much beyond the amount of last year. The remaining sum of 600,000*l.* the noble Lord had calculated would arise from the increased produce of the duty on tea. That calculation appeared to him very vague and indefinite, and he could not see how the sum was to be made out. The noble Lord had said, that the difference would arise from the Government bringing 9,000,000lbs. of tea into the market at the quarterly sales of the tea in the Company's stores, instead of 8,000,000lbs. But did the noble Lord know, that the public would take the 9,000,000lbs.? If 8,000,000lbs. were found sufficient for the quarterly consumption of the public hitherto, was it so certain that it would take the additional million? The noble Lord thought it would by a reduction of the price; but did it not occur to the noble Lord, that if the Government gained in the amount of the duty, it would lose by the reduction of the price? This tea was now the property of the public, as transferred by the East India Company with its other property; and if the Government, by its mode of sale, reduced the price below what it would probably have brought in the Company's sales, would not the difference in the price be so much loss to the revenue? And that loss must be deducted from the gain which the noble Lord seemed to think the Government would make in the duty. This item of 600,000*l.*, therefore, he did not think was, by any means, so certain as the noble Lord seemed to anticipate. The noble Lord thought, that 1,200,000*l.* was as large a sum as could be applied to the reduction of taxation, considering the sum of 800,000*l.* which was to be applied to pay the interest on the loan for the West Indies. He concurred in thinking, that 1,200,000*l.* was as much as could be so applied, and more, taking the precarious nature of some of the sources from which the whole surplus of 2,600,000*l.* was to be derived, than he should feel disposed so to apply; but he wished to ask the noble Lord, whether there were not some other matters for which provision was to be made, besides the West-India Loan? Were not the Clergy of Ireland to be provided for? He had not heard anything on that subject in the noble Lord's statement. The noble Lord said, he could not afford more than the 1,200,000*l.*; and, admitting that the noble Lord had only that sum to concede in the reduction of taxes, he thought that, consistently with keeping faith towards the national creditor, the noble Lord was perfectly right not to make any greater reduction. He would not offer any opinion as to the tax proposed to be reduced, but he must express his regret, that some reduction had not been made which would give relief to the agricultural classes. He would admit that those classes would derive some benefit from any improvement in the circumstances of the other classes with which they were so intimately connected; but when he recollected the distress which, in the Committee of last year on agriculture, was proved to exist in the agricultural class,—when he considered the great patience with which that distress was borne, and when he found in his Majesty's Speech allusions to excitement, and disobedience, and resistance to the law, which prevailed in some places, he could not but lament that the relief was given to the disobedient, and those who resisted the law, while the patient and submissive agriculturists got nothing. He would admit that, as there was only the sum of 1,200,000*l.* to be applied to the reduction of taxation, it would be difficult to show how it could be employed so as to give relief to the agriculturist; but he was bound to say, that if it could be shown that relief could be given out of the 1,200,000*l.*, it ought, undoubtedly, to be given. He would not say, that relief should be given at the expense of public credit; but if it could be given without injuring public credit, the agriculturists had a strong claim to it. At present, however, all that was done was, —that the towns got 1,200,000*l.*, while the agriculturists got only a civil paragraph in the King's Speech. But the noble Lord said, that he had other plans for the relief of agriculturists,—there was to be a commutation of tithes, and a revision of the Poor-laws. Certainly, with respect to the first, the hon. member for Oldham, however just, had been somewhat severe in his comments. But he could at once convince the hon. Member, that the noble Lord could have no design whatever to introduce a measure of confiscation. It was impossible, indeed, to refer to the Speech delivered by his Majesty a few days ago, and imagine that any such notion was entertained by Ministers. His Majesty said: "I recommend to you the early consideration of such a final adjustment of the tithes in that part of the United Kingdom as may extinguish all just causes of complaint, without injury to the rights and property of any class of my subjects, or to any institution in Church and State." These words, the hon. Member would recollect, referred to Ireland—a part of the empire in which, from circumstances, it might possibly have been supposed that a system of proceeding somewhat different from that generally applicable would have been tolerated. But they found that, even in Ireland, the rights of property were to be duly maintained. It was not, therefore, possible to conceive that, in England, a different course would be pursued, and that, when his Majesty's Ministers promised to the landed interest relief, they would commence that relief by confiscating a part of the property of the tithe owners. Confiscation, therefore, was out of the question. The total amount of relief the commutation would effect could be easily stated. It would be a relief merely from a burthen small in amount, but vexatious from the form in which it was demanded. He did not mean to undervalue the importance of the commutation; on the contrary, he was an advocate for its principle; but he contended, that it was unfair in the noble Lord to take to himself the credit of relieving the agricultural interest by merely introducing that principle. The agricultural interest would, of course, rejoice to be freed from the vexations attendant upon the levying of tithe under the present system, but they would much more rejoice in being freed from some of the heavy pecuniary burthens with which they were saddled. What benefit or relief would the holders of tithe-free land gain by the contemplated measure? None whatever. Nay, so far from benefit, if the principle of commutation was once adopted, their pecuniary burthens would be increased. At best, the plan of the noble Lord would give but a partial and trifling relief. Was the noble Lord aware that, in many parts of the country tithes occasioned no discontent? [" *Hear, hear.*"] He repeated, that in many parts of the country the people were content to pay tithes. He did not mean to say, that the people would not be glad to be relieved from tithes altogether, supposing such a thing to be possible; but he asserted, that in many parts of the country the people would prefer the present system of tithe collection to that of commutation, because they believed that under the latter they would have as hard, and harder task masters, than at present. He did not, he repeated, mean to say a word against the principle of commutation; but he thought it was not fair of the noble Lord to expect the agricultural interests, in their present distressed condition, would be satisfied with so partial and so paltry a relief as the introduction of that principle would effect. He then came to that part of the noble Lord's statement which referred to the operation of the Poor-laws, and the promise that they should undergo alteration. Did the noble Lord for a moment think that that promised revision would relieve the agricultural interests from the distress they were labouring under? But, even if it did, did the noble Lord recollect the period of time that must necessarily elapse before that relief could take place? Could the noble Lord show, that the agricultural population would derive any benefits from an alteration in the Poor-laws' operation, which would not be participated in by the town population? The burthen of the Poor-law system was as much felt in the large manufacturing towns as in the country. Would any man deny, that, in periods of commercial distress, the burthens were as great in the large towns as in the country? It was impossible to deny that; and, therefore, he contended, that the benefit to be derived from the new system would, in the present condition of the country, be common benefits alike participated in by town and country. He regretted the noble Lord had said nothing in the course of his speech respecting a tax to which the agriculturist was peculiarly subject, and which the noble Lord had, on the last occasion, in some degree promised should be removed: he meant the tax on horses and servants employed in agricultural labour. He hoped the noble Lord meant to keep his promise regarding that tax, which was both generally and justly complained of throughout the country. If the noble Lord could not altogether remove the tax on horses and servants employed in agriculture, he ought, at least, to put an end to the surcharges upon the agriculturist for occasionally employing them for other purposes. The right hon. Baronet concluded by expressing his hope, that the noble Lord would keep his ears open to the various suggestions that would be offered to him, with a view to the relief of the agricultural interests; and that he would not allow the Session to terminate without giving effect to the recommendations on that subject, which his Majesty had been graciously pleased to offer in his Speech from the Throne. His Majesty had then admitted, that the agricultural interests were in a distressed condition, and strong hopes that measures of relief and protection would be introduced, and had been in consequence excited; and it was needless for him to advert to the effects likely to result from their disappointment.

Lord *Althorp*, in explanation, reminded the House, that he last Session expressed his anticipation that, in the present year, the Revenue would admit of the repeal of the House-tax, and now he was happy to say, that that anticipation had been realized. As to what the right hon. Baronet had said, with respect to the commutation of tithes, he was sure that every man accustomed to agriculture would agree with him, that nothing could be more vexatious than the way in which tithe affected the operations of agriculture; and it was well known, that the payment of tithe in kind was attended not only with vexation, but with heavy and substantial loss. He could scarcely conceive, therefore, that any part of the rural population would not be materially benefited by the change he proposed.

Mr. *O'Connell* must observe, that nothing had been done for Ireland; that, of the 1,200,000*l.* to be remitted for the benefit of the nation at large, there was not a shilling to go to Ireland. But the noble Lord then told them, that there was some plan in store for Ireland, but what it was he could not conjecture. All that the noble Lord had, with his usual clearness, permitted to be understood was, that Ireland was to pay as much money as at present, and still, that it was to be relieved. Relieved of what, he asked? No doubt of the balance. It was a pretty compliment to the intellect of the Irish people to tell them that they were to be relieved, while, at the same moment, the noble Lord intimated they were to pay as much in taxation as they did now. They were to have Irish relief; to wit, nothing. The noble Lord seemed to have some of those scales in his mind that a countryman of his (Mr. O'Connell) was possessed of, who, finding his horse was unable to carry himself and a sack of potatoes, in order to lighten the load, took the sack on his own shoulders, and then mounted his horse. He would not have the English people hope, that they would be relieved by the contemplated plan for tithe commutation. The plan had been tried in Ireland, and signally failed. Through its means land, which had been tithe free for many years, was deprived of its exemption, and brought under the operation of the Commutation Act. Agrarian disturbances too had increased fivefold in Ireland since the period that Act had been introduced into Ireland. Let not, therefore, the English people deceive themselves with the hope that it would give them any relief whatever. The only real way to afford relief was to lessen the burthens by enacting that no man should be called upon to pay a clergyman, unless he wanted his assistance and advice. But what was the statement of the noble Lord as regarded the reduction of taxation? Why, in all, it amounted to only the peddling sum of 1,200,000*l.* What would such a mere trifle do in relieving the country?—Nothing. Would it even give relief to the town population? He very much doubted that; but, at all events it would not give a particle of relief to the agricultural interests. There seemed to be some doubt whether the agricultural population of England was distressed, but he believed there was no doubt that that of Ireland was so. And how would the noble Lord's financial experiment remedy that distress? It could not even boast of the pretence of doing so. If the noble Lord really wished to relieve the country, to relieve all classes, whether agricultural or manufacturing, let him turn to the national debt. Let him reduce the interest upon that debt, from three per cent. to two and a-half per cent., and by that means, he would at once save four and a-half millions annually. He protested against the species of relief held out to Ireland; indeed, he might say, he protested against the whole of the noble Lord's statement, for it did not go near far enough for him. Let the noble Lord at once take off four millions and a-half from the interest of the national debt, and then, and not until then, would it be in his power to do justice to all classes of the community, by reducing the House and Window tax, Malt-tax, and several other of the taxes which were most complained of.

Mr. *Hume* said, that if the right hon. Baronet had not made a most extraordinary speech, he should perhaps not have said anything. He had listened to the statement of the noble Lord, the Chancellor of the Exchequer, and that statement was certainly plain and explicit. There could be no doubt of what the noble Lord's intentions were; but, however the righ hon. Baronet might believe the statement to be satisfactory, he did not think that it would be considered so by the country at large. The House seemed to cheer the proposed reduction in the estimates of 500,000*l*., and the right hon. Baronet contended, that that saving was as much as could be expected. Now, he saw that the amount which the noble Lord took last year for the estimates of the army, navy, &c. was 14,623,000*l*.; and, without entering into any details, he would say, that the proposed amount would be 14,100,000*l*. The noble Lord did not forget, that all these establishments were kept up under a sum of 4,800,000*l*. in the year 1792; but, instead of approximating that golden era, what was the fact? Why, that the expense was now three times what it then was! Would the people of England, under these circumstances, suffer the Window-tax to be continued? He hoped they would not, but that they would take every proper means to point out to the Government how it might be done away with. Why should Ireland now cost the country 1,500,000*l*. for the support of the army there, when formerly a sum of from 350,000*l*. to 400,000*l*. was sufficient for this purpose? It was because the Government would keep up that which was hostile to the feelings and interests of the country. The Ministers persisted in keeping up that Church establishment which had so long existed, in violation of the admitted public opinion in Ireland; and in order to do this, Ireland was made a mere garrison for troops, like a subjected province. Why, 800,000*l*. or 900,000*l*. might be saved by reducing the Church establishment to a proportionate scale as compared to the number of Protestants in the country. Let them have an establishment according to their numbers and their wants. Let them have what the Protestants of England had, and then apply the surplus funds of the Church to other purposes. The House would then have a fund which would enable them to remove the Window-tax. But he perceived, that there was a show of doing something, and yet little or nothing was done. He was glad to find that the Government would carry into effect the repeal of the House-tax, provided there was nothing else thrown in the way of the noble Lord. This condition was attached; but they had the pledge of the noble Lord last Session, that the House-tax should be repealed. Now, the noble Lord proposed to effect a reduction of 1,200,000*l*. by abolishing the House-tax; but it appeared, that the amount of this tax repealed last year was nearly 500,000*l*. Why, then, the sum of 1,200,000*l*. was named he could not imagine, when the House-tax could not yield above 800,000*l*. It had been a matter of complaint, that the Government had not been treated with liberality. That was an extraordinary proposition to raise. Then the noble Lord said, that the landed interest was sorely oppressed. How unfortunate indeed was that interest! Why, they had the monopoly of the food of the country by the aid of the oppressive tax upon corn. It was a ruinous tax upon our farmers, from the uncertainty of prices which it produced. It led to alternate excess and diminution of supply; and the currency was curtailed, when the import of corn was about to commence. But look again to the landed interest. They had been relieved from the payment of Stamp-duties insurance on their buildings, which was not the case with other interests; and why should the landed proprietors be favoured above all others? They often heard of liberty and equality; but they were outraged if the Legislature did not protect the civil and political rights of the people. The landed interest too were free from taxes on their agricultural implements; and, whilst all other classes were paying the House-tax, farmhouses had been exempt from that burthen. What, then, did they want? Did they require perfect relief from all taxation? The landed interest had a monopoly of butter, cheese, bacon,—ay, of every thing, down even to eggs! What else could they want? Were they to be the favoured few, and were all other persons to be taxed for their exclusive advantage? On these accounts he would say, that the appeal to the noble Lord was uncalled for, and he hoped that the noble Lord would not attend to it. If, however, he did, he would not act with justice to the other classes. He complained that the subject of the oppression of the landed interest was included in the Speech from the throne, though he believed that had been done to keep the country gentlemen quiet. He would put it to the House whether, with all the monopolies in their hands, it was fair to ask, on the part of the landed interest, for a further relief from taxation? Then the noble Lord argued, that the removal of tithes would give them relief; but no, said the hon. member for Oldham, (who he knew was no friend to capital). Did the hon. Member not know, that the present Tithe-law formed the greatest bar to the employment of capital for the improvement of the land? Did he not know that it formed the greatest possible check to the employ of that superabundant capital which existed in the country? Did he not know that at present it could not be beneficially employed? He would say that nothing the noble Lord could do would be more beneficial to the country than to effect a measure for the commutation of tithes, and he hoped that nothing which might be said or done would prevent the noble Lord from bringing about such an object as soon as possible. He confessed he was surprised to hear from the right hon. Baronet that any part of the country was satisfied with the present system of tithes. In reference to this point, how different was the case in Scotland! There land of the same quality as that in England was made to yield twice, and sometimes three times as much as it did in England. Now, he could see no reason why, in England, we should not be allowed to proceed on the same footing with the cultivators of land in Scotland. A measure for the commutation of tithes would be one of the greatest boons which could be given to the country. The hon. member for Oldham seemed to think, that no alteration could be made in the Poor-laws without doing injury to the labourer. Now he (Mr. Hume) believed, on the contrary, that the Poor-laws while they were good in principle, were vicious in their administration. It would now, indeed, be an Herculean task to remedy the evils which existed, but if they were removed, the removal would place the labourers in a better condition than at present. Again, the landowners would stand in a better position, and every man would be benefited. Some held that if you took from one and gave to another, you did nothing; but he maintained that if they effected a saving to the landlord, they effected a saving to the poor man. So that both these measures would be beneficial. He would here advert to an observation of the hon. member for Dublin, who had stated that, whilst every landed proprietor had had his income reduced by one-third, the fundholder continued still to receive his dividends as heretofore. Did that hon. and learned Gentleman know how the funds had been reduced? (and the Ministry for the time being deserved credit for what they had done)—did he know, that where a man formerly received 5*l.* he now received only 3*l.* 10*s.*? Was not this a reduction equal, or nearly so, to any which had been made in respect to land? But he hoped that the observation would not be listened to. If the prices of the day admitted it, then, indeed, reduce the funds to 1*l.* per cent.; but, if they began striking off, where would they end? He was anxious to give satisfaction to all classes. To the landowner he would say, he must take his chance with other interests; and so to the moneyed man. He objected to the observations which had been made by the right hon. Baronet; for he did not give the question fair play: he wanted all monopolies to be vested in the landed interest. He must say, that that interest was the favoured one of the country. Why, surely, it was so; at least as far as it made us pay 8*d.* instead of 6*d.* for a loaf—and so in proportion for every thing we eat. Let the noble Lord and the right hon. Baronet be prepared on the 6th of next month to argue the case of the present odious Corn-laws, the repeal of which would effect more good for the landed interest, and for the country at large, than anything else. He was much disappointed in not hearing that it was the noble Lord's intention to effect a considerable alteration in our commercial relations. This he had certainly expected; and he wished that the noble Lord and the House would read the late address of the Bordeaux merchants to the Chamber of Representatives at Paris, in which they pointed out the evils under which the manufacturers and others in France suffered at the present moment by monopolies. They proved that every man in France—the ploughman, the highest to the lowest individual—suffered under the curse of high prices, and the checks which were raised against export of articles on which the country depended. They called upon their Representatives to remove the shackles which existed upon commerce generally. But he had been led to suppose, some time since, that a clear understanding would be come to on this subject, and that we should set a good example to other nations in such matters. Perhaps, however, the noble Lord would not object, on a future occasion, to lay upon the table the report of the Commissioners appointed last year. He could not but feel, that some difficulty had been thrown in the way, though reports had been made by the Commissioners who had been appointed. Though the changes which had been made by the Chambers in France were not great, yet they had introduced a Bill to remove, in a slight degree, the objections and obstacles which existed to free interchange between the two countries. But opinions had changed in France during the last year; and he knew that there was a general feeling to extend the intercourse between the two kingdoms. He was glad to find, that those who had hitherto looked upon England as the rival of France now regarded her in the light of her ally. He, therefore, had expected, that the noble Lord would have entered into some explanation of what his views were on this subject. He had hoped, that the duties on certain wines would have been reduced and placed on the same footing as tea; in fact, allowed to come in upon an *ad valorem* duty. Now, Moselle and Rhenish wines, &c. were not drunk, and yet we might have a bottle of wine for 1*s.* Take 100 per cent. off the weak wines; let others drink expensive wines who chose to do so. An hon. Member below him, he supposed, thought of drinking nothing less than Champagne or Burgundy; but it was too bad, he maintained, to deny to another, or a poorer man, the opportunity of drinking weak wine, because the hon. Member and others had a taste for stronger sorts. He repeated, he was sorry that the noble Lord had said nothing on this matter, and that he had not given an enlightened view upon the subject; for the people of France had become aware of their error, as we were. With reference also to the timber duties, he had anticipated some modification of the existing law. Upon what principle was a man to pay the same price for bad that he would for good timber? Why should the Government levy a duty of 10*s.* on one description of timber, and 2*l.* 15*s.* on another? But this was done, he supposed, to protect the colonies. He, however, would undertake to say, that the whole of the shipping engaged in the timber trade might be purchased out altogether, and yet, in the first year, half a million saved to the country, if the timber duties were put on a proper footing. Of course those ships would not be of much value which were not A. 1 at Lloyd's. Now, really, this was a question of great national importance. Then, as to the Corn-laws, if they were to have any at all, they might have a revenue of 1,000,000*l.* As to the scale of duty let it be a fair one. Why not have a fixed duty of 6*s.* per quarter, and they might then take off the Window-tax. Some persons thought that the land was the source of all value; but it was the manufactures and commerce of the country which gave the value to the land; and as they increased the number of changes of commodities, and gave the people cheap food, so it had a tendency to benefit the people, and place them in a better condition to buy their meat, eggs,

&c. cheap. In conclusion, the hon. Gentleman hoped that the noble Lord would take off the Window-tax and as many others as possible.

The Marquess of *Chandos* said, that he had expected, from the manner in which the distressed state of the agricultural interest had been alluded to in the King's Speech, that the noble Lord, the Chancellor of the Exchequer, would have suggested some means of relief to that body. He would not at present enter into the question, whether or not the landed interest enjoyed a monopoly, as the hon. member for Middlesex termed it, but would content himself with assuring that hon. Member, that they desired no monopoly. He did expect, however, that when the Government were giving relief to other classes of his Majesty's subjects, some boon would be extended to the agriculturists, who were at present, from a variety of causes, in a very impoverished state. Having voted last year for the repeal of the tax on houses, he could not but feel pleasure at hearing that it was no longer to be exacted; and he trusted, that the householders having obtained that advantage, would not be jealous of the farmers, who were in circumstances of great difficulty and distress. He claimed for that class of his Majesty's subjects, not a monopoly, but the means of existence; and he should feel it his duty to bring their case before the House on an early day.

Mr. *Cutlar Fergusson* did not mean to offer any opposition to the proposed reduction of the House-tax; but he must observe that, in his opinion, the question respecting that tax had never been properly understood. He did not look upon the House-tax as an improper mode of raising revenue, and he saw no reason why, if fairly regulated, it should not be more productive than it had been. Nor could he understand why the mansions of noblemen and gentry in the country should not be assessed to the full amount of their value; and the true criterion of that value was, not the rent which such houses would bring, but the convenience which they afforded the owners for a display of taste and magnificence. In addition to this, the House-tax did not affect a single person who might be said to be in a state of want, or even to belong to the humbler classes. All houses under the value of 10*l.* were free from the tax, and no labouring man could be considered as subject to it. Under these circumstances, in preference to repealing the House-tax, he would have taken off a portion of the Malt-tax, or removed the residue of the duty on soap. He thought the noble Lord, the Chancellor of the Exchequer, acted perfectly right in resolving not to reduce the taxation until he was certain that he could spare the money; and he (Mr. Cutlar Fergusson) should always oppose the removal of any impost, unless it could be clearly shown that the money was not wanted by the State, or that it might be supplied by other means. This he could state, that he never would be satisfied with the mortgage offered him by the hon. member for Middlesex, of church property in Ireland. With reference to the stock of teas now in the warehouses of the East-India Company, on which the right hon. Baronet had founded an argument against the statement of the noble Lord, he must say, that a great additional sale of tea might be anticipated in the present year, and that the noble Lord (Lord Althorp) was perfectly right in calculating upon an additional revenue of 600,000*l.* from tea. He begged to be allowed to allude once more to the question of the House-tax, for the purpose of entering his protest against the attempts which had lately been made to overawe the Government of the country with respect to that tax. He trusted that his Majesty's Government had not been induced by threats to repeal the tax on houses. For his own part, he declared that he would not allow the scenes which had lately been acted in the metropolis, with a view of overawing the Government and the Legislature, and obtaining the repeal of taxes by force, to have the slightest influence on his conduct. If the Legislature gave way to such proceedings,—if that House declared, that whenever individuals combined together for the purpose of compelling the repeal of any particular tax, the Government must, therefore, repeal it, there would be at once an end to the revenue, and an end to all Government. He might, perhaps, be told, that the imposition of an Income-tax would be a most excellent way of supplying any deficiency in the revenue. He thought differently. In his opinion the Income-tax was an odious, detestable, and inquisitorial tax; and he trusted no Government would ever again have recourse to it. He joined with the noble Marquess in thinking, that relief ought to be extended, if possible, to the agriculturists; and he would tell the hon. member for Middlesex that, whenever he chose to bring forward the question of the Corn-laws, he should be ready to meet him on it. He concurred with the noble Marquess in expecting that the noble Lord would give some relief to the agricultural interest. He was prepared to show, in opposition to the hon. member for Middlesex, that the people, and particularly the poorer classes, instead of profiting by the repeal of the Corn-laws, which the hon. Member advocated, would, in the first place, be deprived of employment. It was admitted by the economists themselves, and expressly stated by Mr. M'Culloch, the most eminent among them, in the *Edinburgh Review*, that a large mass of agricultural labourers, amounting perhaps to 500,000 would not be able in his opinion to find other employment, though Mr. M'Cullock thought they would. These men would be converted into paupers, while, in consequence of the impoverishment of the landed proprietors no fund would exist for their support. He wished the hon. member for Middlesex to understand, that if he was not always replied to when he uttered tirades against the landed interest, it was not because there were not to be found Members in that House ready to enter the lists with him. In his opinion, the interest the least favoured of any in the country was the landed interest; it was subject to great and peculiar burthens. The hon. member for Middlesex cried out "Oh!" as if that was any argument. In spite of the hon. Member's exclamations, he would contend, that the landed interest had many grievous burthens imposed on them to which other classes in the State were not subject. What consistency was there, he should like to know, in the course pursued by the hon. member for Middlesex with respect to the Corn-laws? The hon. Member told his constituents out of doors, that the repeal of the Corn-laws would enable them to get bread plentifully and cheaply, while, at the same time, he was endeavouring to persuade the landowners in that house to consent to the repeal of those laws, by declaring that their abolition would not make bread cheap. The hon. Member's argument to the landowners was, the repeal of the Corn-laws will not make corn cheap in this country, but will raise the price of corn abroad; so that if the people of England would only submit to be starved themselves, they would have the consolation of knowing that all the rest of the world was starved too.

Mr. *Hume*: The hon. and learned Gentleman does not understand me.

Mr. *Cutlar Fergusson*: "I do understand the hon. Member better than he understands himself; and, whenever he brings the question of the Corn-laws before the House, I hope he will be prepared to rest his attack against them on some fixed principle." He was prepared to meet the hon. Member on his own ground, and to prove, that the Corn-laws created no monopoly in favour of the agriculturists; but he would not then enter into the argument. He would only observe, that the existing system was more favourable to the people than that which the hon. member for Middlesex desired to be introduced; for, while the hon. Member proposed to have a permanent duty of 10*s*. per quarter fixed on the importation of wheat, the average duty was not more than 6*s*.

Mr. *Hume* begged to explain. He was always ready to answer for what he said; but he challenged the hon. and learned Member to produce a single speech of his, by which it could be shown that he had been guilty of the double dealing charged upon him with respect to the Corn-laws. He had always said, that the price of corn would fall by the repeal of those laws; and, if he could have uttered such a sentiment as that imputed to him by the hon. and learned Member, he should have been fit for Bedlam.

Sir *Samuel Whalley* differed with the hon. Member who spoke last in opinion, on the burthens of the landed interest; for he was persuaded that the landed interest were troubled with no peculiar burthens, except, perhaps, the Malt-tax; though a great share of that infliction fell on the commercial and trading interest. Nor was it alone the agricultural interest which suffered by the Corn-laws; for it was owing to this burthen that a large proportion of persons were thrown on the poor-rates in towns and cities. As to the operation of the Poor-laws which had been mentioned, he,—speaking in behalf of the largest metropolitan parish,—could say, that he believed the main improvement which could be made on this point would be, to relieve the parishes from Magisterial control. All the evils which were so loudly talked of, with reference to the Poor-laws, were caused by the abuse of those laws, and not their use; at any rate, he could speak as far as towns were concerned. He was grateful to Ministers for the relief from the House-duty, but he thought that this relief would not be appreciated, unaccompanied as it was by the relief of that tax of which the people, particularly the lower classes, most bitterly complained—the Window-tax; it was felt as a crying shame by every one, especially by the myriads of unhappy beings who were cooped up in the narrow streets of London and other great cities,—it was felt as a monstrous exaction, to tax them for the light and air of Heaven, so essential to them in every point of view. The noble Lord, the Chancellor of the Exchequer, had held out hopes,—had almost, he would say, given a pledge at the end of the last Session,—that he would take off this odious tax, and the whole kingdom felt rejoiced at the prospect, and would be grievously disappointed at the non-fulfilment of this promise: he trusted, however, that the noble Lord would be able to take it off next Session; it was only deeply to be lamented that this relief could not be extended now, for he feared that the reduction of the House-duty, standing alone, would be looked upon, not as a boon or an act of grace, but as an act of half justice, tardily forced from a Government who, it would be feared, did as little as they could help for the people, and delayed that little as long as possible. It was, however, not a time to indulge in much more delay of this sort; for the same sort of spirit of opposition was commenced in the agricultural districts, particularly in Devonshire, of which one of the Cabinet Ministers was a Representative,—the same resistance to payment of tithes,—as there had been evinced in the metropolis, and other large towns, to the payment of the Assessed Taxes. The fires which so frequently occurred, were a proof of this spirit [*"No, no!"*]. But they were, and a very unequivocal one; in short, many of the agricultural districts were in a disturbed state. He would say, without fear of contradiction,—at least, of tenable contradiction,—that those districts were in a state of agitation; and that the payment of tithes was denounced with as much determined vehemence as was the payment of Assessed Taxes in any part of the metropolis. It was easy to say, "no, no;" but it was not so easy to bring proofs that his statement was erroneous. There was, on the contrary, every demonstrable proof how correct he was,—the sentiments universally delivered at all public meetings, the practical demonstrations of incendiarisms, with similar proofs. He could not conclude without earnestly pointing out to the House the necessity of paying more attention to the claims of the people than had been hitherto accorded. He trusted the House would not persevere in evincing their former indifference to the wishes of the people; that they would not continue as they had been, under the control of his Majesty's Ministers, which subservience had had the unhappy effect of inducing the people to look solely to these Ministers for relief, withdrawing all their confidence and trust in the Parliament itself, —for he had found, at every public meeting, the greatest indisposition evinced to petition the House itself, the assemblies in all cases thinking it unnecessary to look to any other source of relief than the King or the Ministers. Now, nothing could be more fatal than for the House to delegate their power to Ministers. Being, as they were, the sole guardians and dispensers of the public money, they ought never to have the people's confidence so withdrawn from them as to have petitions, on the subject of taxation, addressed to any other than themselves. The people, he believed, had every confidence in Ministers; but the latter had obtained this confidence at the expense of the House of Commons; for he believed that, at no time, had the people less confidence in a House of Commons. He trusted, however, that they would give the people reason to restore their confidence to its right place, by doing away with the Window-tax—a tax most oppressive and impolitic. He trusted that, for a paltry million of pounds,—yes, he repeated, he trusted that, for a paltry million of money, they would not make a million of men discontented. Without the additional relief from the Window-tax, he feared the relief from the House-duty would be received with very great indifference.

Sir *John Tyrell* said, that, as an agricultural Member, he could not allow the observations of the hon. member for Marylebone to pass without comment. He thought it very unfair for that hon. Member to state, that the English farmers urged on the peasantry to incendiarism. If such a remark had been made by any gentleman possessing more influence in that House than the hon. member for Marylebone, it certainly would have had greater effect out of doors. In his opinion, the agricultural interest had a right to expect that some relief should be afforded them by Government. The agricultural interest had great and deep cause to complain. It had been insisted, that they enjoyed a monopoly of the food of the country. He hoped that the hon. member for Middlesex, with all his knowledge of rural affairs, would himself come prepared, when he entered the arena with the hon. and learned member for Kirkcudbright, to produce a statement of the protection which was now given to the manufacturing interests. In 1823, it appeared that no less than forty or fifty articles of manufacture were protected by duties of no less than from twenty-five to fifty per cent; while the protection extended to the agricultural interest, which was so much talked of, did not extend beyond ten per cent. It was incumbent, at all events, on those who clamoured for free trade in corn, to provide, that the protection now enjoyed should, on the other hand, be discontinued to manufactures. There were many peculiar and heavy burthens which the farmer had to pay, such as gaol-rates, county-rates, surveyors' rates, and repair of roads' expenses, which seemed to have escaped the attention of the hon. member for Marylebone and others who had attacked them. Besides, it was not to be forgotten that the manufacturer, after having failed in his speculations, invariably was found to fall back at last on the land. He did think that the noble Lord had not done justice to the agricultural interest in excluding it, in its depressed state, from all share of relief.

Mr. *Benett* deprecated the attacks which had been made upon the agricultural portion of the community by several hon. Members who had taken part in the Debate. Had they known the character of the British farmers as well as he did, they would not have brought such charges against them. They had been charged with combining, and urging on their labourers to excess; but what was the fact? They had never, at any time, combined even for their own protection or mutual advantage, much less for the purpose of evading the law, or to urge others on to the commission of crime, while they had always been most diffident, and had shown a great deal of moderation in making known their grievances and depressed condition through the medium of petitions to that House. He denied that any combination existed among the labourers at present. Sure he was, there was none among the farmers. They did not pay tithes readily, but they did not resist the payment of them; they paid taxes when they had ability, and did not complain when force was sometimes used for the purposes of distraint. 1,200,000*l.* was proposed to be remitted to the manufacturing districts; he should have been most happy to have heard of one-half of that sum being applied towards relieving the agricultural interests. As to the House-duty, he must say, that he considered it one of the very best taxes. A Property-tax might be difficult of assessment, but there was no such difficulty in the management of the House-tax. However, the noble Lord seemed determined that it should now be repealed; and although he was sure that the noble Lord would be the last man to give way to clamour, yet had he been in the noble Lord's place, he would, most undoubtedly, in the present instance, have refused to give up this particular tax; for, certainly, it would be ascribed, in some quarters, to a yielding, on the noble Lord's part, to the popular clamour which had of late been raised against it. As to the Corn-laws, he would reserve his opinion for another opportunity; and he hoped the hon. member for Middlesex would also reserve his attacks on the farming interests until he should meet the hon. and learned member for Kirkcudbright. He congratulated the House and the country on the surplus already declared by the noble Lord, but could not help repeating the regret he felt that some portion of it had not been applied in relieving the distress of the landed interests.

Colonel *Evans* observed that the hon. Member who had just sat down, had stated that the House-tax was the same as a Property-tax. Did the hon. Member mean seriously to contend, that the House-tax, as now assessed, could, in any fair sense of the words, be called a Property-tax? Supposing it, however, to be a Property-tax, he (Colonel Evans) objected to it, because it was unequally levied. The houses of the tradesmen were taxed almost to extortion, while the mansions of the wealthy were left almost untouched. It was on this ground that he objected to the tax. The speech of the hon. Member was one of the most reasonable agricultural speeches he, (Colonel Evans) had ever heard. He must, however, observe, so long as we had so many monopolies, we should see this clashing between the agricultural and commercial interests. On this ground he contended, that there ought to be a general revision of our system of taxation. The right hon. member for Tamworth had observed, that the poor-rates pressed more heavily on the agricultural classes than on the town population. He, however, believed that, on a full examination of the subject, the facts would not bear out the right hon. Baronet's statement. It would be found that the towns paid as much, or more, to the poor-rates as the country. He objected to the plan of the noble Lord, because, while he removed half the tax, he retained all the machinery. That was one objection which he felt to it. He had another objection to it. He thought that, by an equitable adjustment, which he would presently suggest, the tax might have been taken off. The legacy-duty fell wholly on personal property. Let a corresponding tax be put on real property, and then the noble Lord might get rid of the House and Window-tax altogether, and at once. The noble Lord had spoken of the means which had been resorted to for the purpose of influencing the Government, and of the intimidation which had been attempted. This argument he (Col. Evans) thought was the very last which ought to be mentioned in this House, seeing that what was called the Reformed Parliament, had been obtained entirely by what was done out of doors.

Mr. *Duncombe* expressed his sincere regret that the noble Lord, in his financial statement, had not announced his intention to repeal some of those duties which more especially pressed on the commercial and agricultural interests of the country. The agriculturists were in a state of extreme destitution and distress; but the noble Lord proposed nothing by which any sort of relief could be afforded to them. The noble Lord ought, in his opinion, to have paid some degree of deference to the deliberate vote of last Session—but of which he procured the reversal—respecting the malt-tax. The noble Lord ought to have come forward and proposed to the House the repeal of that tax, which would have given most material relief, not only to the agricultural, but also to the manufacturing interests, and especially to the labouring and industrious classes of the community. He protested against the attack made by the hon. member for Middlesex on the farmers of England. The proprietors of land, that valuable class in the country, were suffering the greatest degree of depression, having gradually fallen from respectability, independence, and enjoyment, to one of decay and destitution; and it was the paramount duty of the House and of Government to pay special attention to their state and the protection of the agricultural interests, since on those all others were based, and by them protected; thus furnishing at once a decisive index of the real prosperity and independence of the country.

Colonel *Torrens* had been surprised to hear the hon. member for Oldham declare, and much more to hear the right hon. Baronet (Sir Robert Peel) repeat, that no relief could be extended to the agricultural interest by an equitable commutation of tithes; that it would merely shift the burthen, and give no real substantial relief, unless it was procured by means of robbery and spoliation. But if an equitable commutation of tithes should be effected, as he hoped it would, a tax on production must be removed, a greater quantity of capital would be applied to the soil, which would produce a much more abundant supply than while subject to that tax, therefore, there would be more wealth to divide, and though the tithe-proprietors would not get less, the agriculturist and cultivator would get more. It had been said that the relief of taxation would not relieve the land. The noble Lord proposed to relieve the land, and the only possible means by which it could be effected, was by taking off those local burthens which were the real causes of agricultural pressure. The price of corn was now above what it was in 1790; and why was agriculture more depressed now than at that period? Because the local burthens were greater. It was now proposed to reduce those burthens, and that was the only means by which relief could be administered. It had been said by the hon. member for Oldham, and reiterated by the right hon. Baronet, the member for Tamworth, that an amendment of the poor-law would not relieve the land. He believed it would, and relieve it most materially. They might diminish the poor-rate by causing those who were now total paupers to become efficient labourers, who, in creating an increased produce, would receive as the result of their labour what they now enjoyed as poor-rate.

Mr. *Harvey* observed, that the noble Lord (the Chancellor of the Exchequer) had shown, in his financial exposition, more of the dexterity of a politician than the firmness of a statesman. He ought to have stated at once what the plans of Government were, but, instead of that, the noble Lord had left the matter to be settled by the conflict of two rival parties, the representatives in that House of the agricultural and manufacturing districts. The noble Lord had given notice that he intended to establish the Westminster races, and that there was 1,200,000*l.* to run for. This was thrown on the arena of political contention; the two opposing interests in that House were left to balance their strength, and the nobly Lord probably hoped that, while they were fighting for it, one-half of the Session might be got over, as quietly as possible. This was a course of procedure which was not consistent with the character and ability of a statesman. There was one party who appeared to have no advocates, and for whom no sympathy was felt in that House—he meant the people. Not only would the people numerically enjoy no advantage under the proposed scheme of the noble Lord, but 600,000*l.* by way of a tea-tax, would be imposed on them, additional to what they now endured. On the great national question of the Corn-laws he would reserve himself to another opportunity, when its whole bearings would, he trusted, be deliberately canvassed by the House; he only rose for the purpose of stating that, if the noble Lord (the Chancellor of the Exchequer) had repealed the Malt-tax, and imposed an additional duty on gin and other spirits, he would have given much more real, practical, and lasting relief to the people than could ever be expected to accrue from the reductions he now proposed to carry into effect.

Lord *Morpeth* did not seriously repine at the peculiar selection for relief which the noble Lord (the Chancellor of the Exchequer) had chosen to take on the present occasion; there were circumstances of policy, as well as financial considerations, which had justified his noble friend in the line he had pursued. At the same time, he hoped, that, at the earliest possible period, his noble friend would direct his attention to the reduction of those burthens which pressed most heavily on the labouring classes of society,—such as taxes on the raw materials, on cotton, wool, cloth, and the articles employed in their production. The energies of our commerce and manufactures were so elastic and vigorous, that any relaxation of the weights that now pressed on them would give material and seasonable relief, while it would tend greatly to quicken, disencumber, and assist their movements. His own opinion was, that great advantage would also result from a material alteration in the Corn-laws. But as they could not be sure that they were at present on the eve of obtaining it, it was surely wise to secure, at all events, as far as they could, all collateral helps. After the announcement which was made at the close of last Session, he had considered the repeal of the House-tax as virtually decided, but, he trusted, whenever his noble friend was able to carry into effect any further reduction of taxation, he would address himself to those burthens which weighed most heavily on actual industry in preference to the Window-tax, which, if impolitic in one view, was certainly not liable to the same amount of objection as the House-tax, and which, in a pretty fair proportion, was within the means of those who incurred it. He was disposed very much to question the policy of any commutation of direct and indirect taxation, because all considerable changes in the present system could hardly take effect without producing more than a corresponding inconvenience in financial arrangement, if not in productive amount; but, between two actual existing operating imposts there could be no question that the first to be abandoned was that which affected most immediately the more indigent and industrious classes. He congratulated his noble friend on the faithful and satisfactory account he had given of his stewardship; and he hoped that, in coming years he would be enabled to bear the same testimony to a growing increase in the revenue, a progressive improvement in the condition of the people, and that practical tranquillity which was no less necessary to the developement of the unrivalled national resources of the country.

The Resolutions were agreed to; and

the House resumed; the Report to be received.

Mr. Sheil—Character of Irish Members.] Mr. Grote appeared at the Bar of the House with the Report of the Committee of Privileges. As soon as the Clerk had received it, a number of voices called "Read, read." The Clerk then read it as follows:—

The Committee of Privileges, to whom the matter of complaint was referred, arising out of a paragraph in *The Examiner* newspaper, dated November 10th, 1833, have agreed upon, and do hereby submit to your honourable House, the following Report:—

The paragraph in question, purporting to form part of the report of a speech publicly delivered by Matthew Davenport Hill, Esq., Member of Parliament for the borough of Hull, is as follows:—

"It is impossible for those not actually in the House to know all the secret machinery by which votes are obtained. I happen to know this: (and I could appeal, if necessary, to a person well known and much respected by yourselves), that an Irish Member who spoke with great violence against every part of that Bill, and voted against every clause of it, went to Ministers, and said, 'Don't bate a single atom of that Bill, or it will be impossible for any man to live in Ireland.' 'What, (said they) this from you, who speak, and vote against the Bill?' 'Yes (he replied), that is necessary, because, if I don't come into Parliament for Ireland, I must be out altogether, and that I don't choose.' [*Cries of* '*Name,*' *and* '*No.*'] Consider for a moment: can I do it? ['*No*'—'*Yes.*'] That is a point for my consideration. I have a great respect for every one here: but if every one in the room was to hold up his hand for it, I would not do it. The secret is not my own. If he had told it to me, I would have said, 'Mark! I'll keep no such secret as this: I will publish it to the world.' But if I name the Member, I put it in the power of the individual who made the declaration, to know the gentleman who told me."

Your Committee, in entering on the delicate and embarrassing duty imposed upon them, ascertained from Mr. Hill, that though he could not admit the entire accuracy of the above paragraph, as a report of what he had publicly spoken at Hull, he nevertheless recollected to have publicly charged an Irish Member of Parliament with conduct similar in substance to that which the paragraph describes. The Irish Member so alluded to, was Richard Lalor Sheil, Esq., Member of Parliament for the county of Tipperary; and Mr. Hill states the charge, to the best of his belief, to have been substantially as follows:—

"That Mr. Sheil made communications respecting the Irish Coercion Bill to persons connected with the Government and others, with the intention thereby of promoting the passing of the Coercion Bill, and having a direct tendency to produce that effect, whilst his speeches and votes in the House were directed to the defeat of the Coercion Bill."

Such was the substance of the allegation into which your Committee proceeded to inquire. Two witnesses were called before them at the suggestion of Mr. Hill, and others were about to be examined, when Mr. Hill himself, finding the testimony already heard, very different from what he had expected, freely and spontaneously, made the following communication to the Committee:—

"That he had come to the conviction, that his charge against Mr. Shiel, of having directly, or indirectly communicated, or intended to communicate to the Government any private opinions in opposition to those which he expressed in the House of Commons, had no foundation in fact; that such charge was not merely incapable of formal proof, but was, in his present sincere belief, totally and absolutely unfounded; that he had originally been induced to make mention of it in a hasty and unpremeditated speech, under a firm persuasion, that he had received it on undeniable evidence; but that being now satisfied of the mistake into which he had fallen, and convinced that the charge was wholly untrue, he came forward to express his deep and unfeigned sorrow for having ever contributed to give it circulation. Mr. Hill added, that if there were any way consistent with honour, by which he could make reparation to Mr. Sheil, he should deem no sacrifice too great to heal the wound which his erroneous statement had inflicted."

It is with the highest gratification, that your Committee find themselves enabled thus to exonerate an accused Member of Parliament from imputations alike painful and undeserved. The voluntary avowal of an erroneous statement on the part of Mr. Hill, now puts it in their power to pronounce a decided opinion, and to close the present inquiry. Neither of the witnesses who appeared before the Committee, deposed to any facts calculated to bear out the allegation against Mr. Sheil; nor did their testimony go to impeach his character, and honour, in any way, or as to any matter whatever. The Committee have no hesitation in declaring their deliberate conviction, that the innocence of Mr. Sheil, in respect of the whole matter of complaint referred to their investigation, is entire and unquestionable.

Your Committee feel bound, at the same time, to express their full confidence in Mr. Hill's declaration, that the statement impeaching Mr. Sheil's character, was made by him at Hull, under a sincere, though mistaken, persuasion of its accuracy. They derive this confidence as well from the tone of generous regret which characterized his communication at the close of their proceeding, as from the candid admissions, and the evident anxiety to avoid all exaggeration and mis-statement, which they have observed throughout his testimony, as delivered in their presence.

After the Clerk had finished the perusal of the Report, there was a loud call for Lord Althorp.

Lord *Althorp* spoke to the following effect:—I know not why I should be called upon to rise in my place, after the Report which has just been read to the House. Rising, however, as I now do, after it has been read, I feel bound to say, that no man present rejoices more at its contents than I do. The charge, as stated in the paper, which was referred to the consideration of the Select Committee, was, that the hon. and learned member for Tipperary had made a communication to the members of his Majesty's Government, and also to other persons, with a view which was specifically mentioned in the Report. The answer which I first gave to the question put to me by the hon. and learned member for Dublin, was, as the House will recollect, that there was no foundation for any such charge. I then stated, upon the authority of a person on whose veracity I placed entire reliance, that, though such a charge had no foundation in fact, I had reason to believe, and I did believe, that the hon. and learned Gentleman, whom I afterwards named, had expressed in private, respecting the Coercion Bill, sentiments very different from those which he professed in public. I feel that, after what has taken place in the Committee, it is due from me to the House, and I may also add, to myself, to state frankly the reasons why I added the latter observation. I had seen in the public papers very strong attacks made upon my hon. and learned friend, the member for Hull, for the speech which he had addressed to his constituents. I was quite sure, that the questions put to me by the hon. and learned member for Dublin, were put to me with a view of following up in this House, the attacks which had been made elsewhere upon my hon. and learned friend, and I felt, that if I had stopped short, and had answered the question simply, I should have made a statement which would have been contrary to what I had reason to believe, and which would have supported and encouraged the attacks on my hon. and learned friend, which we all knew were in contemplation. I believe, that, at the time, it was thought, that in acting as I did, I acted rightly; but I am now inclined to admit, upon subsequent consideration, that I acted wrongly—nay, that I acted imprudently as a man, and still more imprudently as a Minister. With respect to what I did in my character as an individual, I admit, that I may have acted hastily; but in a case where I am actuated by the reasons which then influenced me, I frankly confess, that I would rather be found fault with for having acted with too little, than for having acted with too much prudence. My conduct, I am also inclined to admit, was imprudent, perhaps very imprudent, as a Minister; but if I am to put into competition my conduct and character as a man, with my conduct and character as a Minister, I must say, that I shall look at the first with more regard than I shall look at the latter. I am now called upon by several hon. Gentlemen, to state what my opinion is, now that I have heard the Report of the Committee read. As to the facts to which the Report refers, I have no scruple at all in saying, that I am satisfied with it. I have also no scruple in saying, that the hon. and learned Gentleman never did, directly or indirectly, intentionally or actually, communicate to other persons, any opinions in favour of the Coercion Bill, which were to be communicated by them to his Majesty's Government. I know, also, that the hon. and learned Gentleman did not communicate any such opinions to the Government himself. The communication which I received on the subject, came from persons on whose veracity I entirely rely. The hon. and learned Gentleman, in denial of the statement which I offered to the House, did not, as it appeared to me, deny the truth of the communication which was made to me. I intend to say nothing disparaging to any man in this House, when I say, that, in loose conversation, hon. Members may have expressed sentiments to a certain degree varying from the tenour of their votes in the House. At the same time, I do not pretend to deny, that the expression of sentiments in private, directly adverse to the sentiments expressed by hon. Members in the House, is a disparagement to them. I have, since I last addressed the House, made inquiries respecting the information given to me on this subject, and I am now prepared to say, if the hon. and learned member for Tipperary asserts distinctly, that he has not done what I stated him to have done, that I believe his assertion. At present

I am in this situation—I have had certain information given to me on the authority of gentlemen on whose veracity I entirely rely. They may have been mistaken in what they stated to me. They stated to me distinctly that which I stated to the House; but if the hon. and learned member for Tipperary will come forward and say, that it is untrue that he ever used language in private different from that which he used in public on the Coercion Bill, I will not only say, that I entirely believe him, but I will also apologize to him for the language which I used. Whilst I am upon my legs, though the question is not now regularly before the House, I trust, that I may be permitted to make another statement. On this, the first opportunity which I have had since I addressed the House on this subject, I feel bound to say, that, having on the former occasion stated, that more than one Irish Member had made similar communications to Members of his Majesty's Government, I conceived it to be my duty to communicate with my informant, and I have now to acquaint the House, that, though my words on that occasion are liberally borne out by his information, the impression which it produced on my mind, and which I may have produced in consequence upon the House, is not borne out.

Mr. *O'Connell*:—I appeal to the House, whether my hon. and learned friend, the member for Tipperary, is bound to make any such declaration as that which the noble Lord calls for. I say, that he is not. It was not from any wish to guard himself against vague accusation, but in answer to a distinct charge preferred against him by the noble Lord, that my hon. and learned friend gave to the House the solemn denial which we all heard. My hon. and learned friend gave that denial flatly and unequivocally; and the noble Lord having, when called upon to retract the accusation, repeated it, notwithstanding the cautions he received from his own friends, has now no right whatever to call upon my hon. and learned friend to confirm that which wants no confirmation—I mean his former denial. I will not presume to suggest to the noble Lord what he ought to do upon this occasion, but will leave it entirely to his own feelings.

Lord *Althorp*:—If I am to understand, that the solemn denial which the hon. and learned member for Tipperary gave to the charge preferred against him by my hon. and learned friend, the member for Hull, was also meant as a denial to my statement, then I have no hesitation in saying, that I cannot disbelieve a declaration so solemnly made; and that being the case, I must apologize to the hon. and learned member for Tipperary, for the language which I used.

Mr. *Cobbett* could not help remarking, that the statement made by the noble Lord opposite, appeared to him to apply to the whole body of Irish Members who opposed the Coercion Bill. Now, the aspersion which that statement cast upon them, had been completely wiped away by the Report of the Committee. Of the conduct of the noble Lord on this occasion he did not pretend to decide, but as far as he was a judge, he would say, that it was just the conduct which the House expected from his Lordship.

Mr. *O'Dwyer* said, if the noble Lord had expressed himself unequivocally upon the Report which had just been read, he would have done that which was his duty. In drawing the attention of the House to this subject, he was anxious to disconnect himself from his hon. and learned friend, the member for Tipperary. His hon. and learned friend was now fully and honourably acquitted of the charge which had been preferred against him; but as it appeared to him, the country at large, that is, the country to which he had the honour to belong, was still implicated in it. He could not refrain from expressing his surprise, that the declaration of Ministers was not, on this occasion, more explicit and more exculpatory. The charge, as it was originally brought forward, was designed to prostrate, not merely his hon. and learned friend, the member for Tipperary, but also every Member of the party with which he was connected.—The hon. Member was interrupted by

The *Speaker*, who reminded him, that the case now before the House, had been entertained by the House as a question of privilege. Indeed, when once noticed, it could not be otherwise dealt with. It was then left in the judgment of the House, how it would proceed with such a case. The House decided, that it should be investigated in a Committee of Privileges, and, in consequence, delivered over the matter to that Committee; the Committee had decided upon it, and their

Report had just been read. The conversation which had since taken place, far from diminishing, had absolutely given additional weight to that Report. He therefore put it to the feelings of the hon. and learned Member, whether there were not many reasons, besides points of order, which ought to induce him to avoid the warmth in which he was then indulging? He put it to the hon. and learned Member, whether he would not best consult the order of the Debates, the interests of his friends, the dignity of the House, and, he might also add, the authority of the Report, which all parties admitted to be most satisfactory, by refraining from opening a fresh discussion connected with a case which was most important and most delicate.

Mr. *O'Dwyer* felt it to be his duty to yield upon that occasion, as he would upon all others, to the intimation of the Speaker, which had been given to him in a manner which imparted information without inflicting offence. He should abstain from entering further into the topics to which he had just been alluding: but this he must say, that during the last two or three days, the hon. and learned member for Tipperary had been pursued with the most unrelenting rigour; that he had been attacked by parties, and assailed from quarters which were supposed to be under certain influence; but that, in spite of all the malignity which had combined to crush him, his character, and with his character, the character of his party, had been fully vindicated. He availed himself of this opportunity to say, that the hon. and learned member for Hull had done himself great honour by the manner in which he had conducted this case before the Committee, and that he had extorted from the Committee the most flattering testimony to the sincerity with which he had acted throughout. The hon. Member concluded by passing a warm eulogium upon a right hon. Baronet, who, on the first evening that this transaction was discussed, had risen superior to the prejudices of party, and had gallantly come forward to do justice to an injured man.

Mr. *Finn* expressed exultation in the triumphant result of this inquiry, not only to his hon. and learned friend, the member for Tipperary, but also to the entire body of Irish Members. He must complain of the unwillingness with which the House had entered into this examination, and to contrast the gratification with which the House hailed the denunciation of his hon. and learned friend, the member for Tipperary by the noble Lord, with the pointed coolness with which they subsequently received the solemn denial which his hon. and learned friend gave to that denunciation.

Mr. *Cutlar Fergusson* had heard, not with surprise, but with pleasure, the total acquittal which the Committee of Privileges had given to his hon. and learned friend, the member for Tipperary. He was sure, that the whole House participated in the pleasure which he felt upon hearing, that one of its Members had been acquitted of so grievous an accusation as that which had been brought against his hon. and learned friend. There was one fact connected with this discussion, to which he could speak from his own personal knowledge: during the Debates on the Irish Coercion Bill, he had given his assistance, such as it was, to those Irish Members who opposed it. He had, in consequence, had several conversations with Irish Members who were averse from that measure. During the conversations which he held with them, he had never discovered anything which could induce him to suppose, that their opposition was not founded on justice, and conducted with sincerity. He had never discovered any thing which could lead him to believe that they were guilty of the misconduct which had been recently imputed to them. The Report which had just been read, would, when it was dispersed through Ireland, do honour and justice at once to the character of his hon. and learned friend, the member for Tipperary. It would likewise acquit the House of certain imputations cast upon its fairness and impartiality, which ought not to have come from the quarter in which they originated. He must express his entire conviction, that any impression which had been made by the recent charges, to the disadvantage of his hon. and learned friend, the member for Tipperary, would be more than removed by the publication of this Report.

Colonel *Leith Hay* could not allow this discussion to close without stating what he felt now, and what he had felt all along, respecting this transaction. What he had stated on a former evening, when this question was under discussion, was not stated with any intention of injuring the character of the hon. and learned member for Tipperary, with whom, by the by, he had not the slightest acquaintance. He understood well what was due to the private relations of social life; but when he saw the noble Lord below him questioned in his place, as to communications which had been made to him, he considered that those communications were made public property, and that he had a right to deal with them accordingly. His chief object in rising upon the present occasion, was to express his satisfaction at the Report which had just been presented to the House, and his joy, that the hon. and learned member for Tipperary had been so completely exonerated from the charge which had been alleged against him. On a former evening, when he stated to the House what he had heard, he had stated it upon authority which he believed to be unquestionable. It was his duty to believe, that his friend, in the information which he had given him, had been in error; but if his friend had been in error, he had been in an error into which fifty other Members of Parliament had also fallen.

Mr. *Sheil* rose, amidst loud cries of "hear" from all parts of the House, which were succeeded by profound silence. After a short pause, he said: I stood, a few nights ago, before this House, with no other sustainment than the consciousness of my innocence; I now stand before it, with that innocence announced, in the clearest and most unequivocal language, by a Committee, composed of men themselves above all suspicion to the world. I do feel my heart swell within me at this instant, and almost impede my utterance. Justice has been done me. It has been done, not only by my judges, but by my accuser. He preferred his charges in the House, he reiterated them before the Committee; and, having gone into his evidence, and probed his case, he then offered me the only reparation in his power, and, with a frankness of contrition which mitigates the wrong he did me, he came forward and announced that, not only could he not prove his charge, but believed it to be utterly destitute of foundation. That Gentleman, having made this acknowledgment, then turned to me, and, addressing himself to me in the tone and with the aspect of deep emotion, asked me to forgive him. I had, I own, much to forgive. He had wounded me to my heart's core; he had injured me, and given agony to mine; he had committed a havoc of the feelings of those who are dearer to me than my life, and to whom my honour is more precious than their existence; he had furnished to the Secretary for the Colonies the occasion of addressing me in the language, and with the gesture, of solemn admonition, and of pointing out the results of an inquiry, in the tone of prophetic warning. I had, indeed, much to forgive; and yet I forgive him, because, as he protested his innocence of all malevolent intention, and said, that he had been deluded, and acknowledged my innocence of his accusation, I felt that he had done all in his power to repair the wrong; and, heavy as it was, when he asked my pardon, I could not withhold it. It would have been unworthy of me to have availed myself of the occasion thus presented to me, to have cast reproaches on my accuser, or to have been betrayed to vindictive emotion. I did not manifest it then—I shall not exhibit it now—I stood on the verge of a tremendous peril, of the depth of which I was conscious, without dismay—I have trodden the edge of the precipice in calm security, and it remains, that, having passed it, I should indulge in no exultation, as I betrayed no fear. The noble Lord (for I turn to him) has tendered me an apology. I am to presume, that it is not accompanied with any miserable innuendos, and that he cannot purpose to convey any injurious hint. He says, that as I have denied his charge, he believes me, and tenders his recantation and his regret. Whatever is offered in a fair and ingenuous spirit, I am bound, in the same spirit, to accept; but let the noble Lord look back at the exact state of facts between us. The Government having been charged with obtaining votes, by alleging that an Irish Member had been guilty of an act of perfidy, was interrogated on that head. We had a right to put him the question —we had a right to learn two things— first, whether the government had resorted to "secret machinery;" next, whether any communication was made to the Government by an Irish Member. The noble Lord answered the question in the negative, but did not stop there. He went on and founded a charge of inconsistency, grounded on private conversations. We have heard much denunciation from Ministers respecting the disclosures of private discourse; and yet the Chancellor of the Exchequer, the Representative of the Government who entertain such a horror of a practice detested by all honourable men, is the very first to make a reference to the babble of clubs, to declare his belief of information to which he gratuitously attaches an injurious importance, and to announce that he would not give up his author, but would take upon himself the responsibility. This defiance having been given, the House interposed. No resource was left me but to protest that I never expressed myself in favour of the Coercion Bill, and to demand inquiry. I insisted on it. The Secretary for the Colonies, out of regard, no doubt, for my reputation, pointed out the possible results. His kind and generous suggestions had no other effect than to confirm me in my purpose, and to make me call more loudly for trial. That trial has proceeded; my private conversation at a club-house has been given in evidence; and the Committee declare me innocent of every charge which has been preferred against me. Did I shrink from the ordeal? Did I resort to forms and chicane? Did I make my honour a matter of casuistry and special pleading? No, Sir; I courted, I invited, I demanded investigation, and my private conversation at the Athenæum club having been detailed (a conversation after dinner, never recollected, even by the narrator, for eight months), the accuser declares that his charge is totally destitute of foundation, and the Committee at once resolve on my unqualified acquittal. One of the informants of the noble Lord was produced—why were not they all brought forward? My accusers were welcome to have got together every loose phrase, every casual and giddy expression, uttered in recklessness, in the moments of thoughtlessness and of exhilaration—they were welcome to have collected and collated every sentence uttered by me in convivial gatherings, and to have raked and gathered the sweepings of club-houses, in order to have made up a mass of sordid testimony, and to have cast it into the balance against me—they were welcome to have put me through an ordeal, such as not one of the Ministers themselves could encounter. Which of you all would dare to stand the test—which of you would have the veil of his privacy rent to pieces, and all his thoughts, uttered in the familiarity of common life, divulged? But they were welcome to have got together all the whisperers and eaves-droppers of all their clubs against me. I should have defied them. I was prepared with proof, to be given by my most intimate and confidential friends—the men with whom I have lived on terms of familiarity and of trust for upwards of twenty years—the companions of my early life—who know me as I do myself, and to whom all my thoughts and feelings are almost as well known as their own. I should have been prepared with their evidence, and have established, that whenever the Coercion Bill was glanced at, I condemned it in terms of unmitigated detestation, and denounced it as a violation of every one of those principles of liberty, of which the Whigs were once the devoted but not unalterable champions. To be sure, I did—not once, but a hundred times—express my horror of the atrocities perpetrated in parts of the South of Ireland. I did say, that to put ruffianism down something ought to be done. I referred to the suggestions made by the Committee which sat in 1832 on the Queen's County, and which was composed of men of all parties; but never—I repeat it with an emphasis into which all my heart and soul are thrown—never did I express myself as favourable to a Bill which I reprobated in this House, which I denounced elsewhere in terms of equally vehement censure; and if, in place of standing here, I were lying on my death-bed and about to appear in the presence of my God, I should not dread, with the utterance of these words, if they were to be my last, to appear before him.

Mr. *Abercromby* would merely trespass on the House to state the particulars of the conversation which had passed between himself and the hon. and learned Member. A few days ago the hon. and learned Gentleman had reminded him of a conversation they had held upon the state of Ireland, during the debates on the Coercion Bill. He had told the hon. and learned Gentleman, that he recollected having held such a conversation, but could not call to mind the particulars of it. He now repeated that statement to the House. He had found it impossible to recall the particulars; but although he could not recollect what the details of that conversation were, neither could he recollect any one circumstance or opinion coming from the mouth of the hon. and learned Gentleman, inconsistent with the opinions that he had heard him express publicly in that House. He should not have thought this worth stating to the House, had not the hon. and learned Gentleman referred directly to him.

Mr. Secretary *Stanley* hoped the question was at length brought to a conclusion. In the Report which had been laid before them, and the painful discussion which had followed, he trusted a salutary lesson had been impressed upon the House to guard itself against receiving as facts worthy of attention, matter which rested upon vague and rambling reports. If the experience which they had of this affair had taught them this lesson, all they had gone through would not be thrown away. He should not have said one word if the hon. and learned Gentleman had not called upon him. That hon. and learned Gentleman appealed to him, demanding to know what must have been his (Mr. Sheil's) feelings, as an innocent man, when his warning had been addressed to him. In answer to that appeal, he would say, that such must have been his feelings as would be the feelings of any man labouring under unjust suspicions, who saw a tribunal appointed which was to make manifest his innocence. He hastened to say, that, with respect to the charges brought against the hon. and learned Gentleman at Hull, he had been, by the Report of the Committee, fully, distinctly, and honourably acquitted. He also rejoiced to have heard the positive, explicit, and frank denial of the hon. and learned Member, and, which having heard, he could entertain no doubt any longer on the subject, that upon no occasion had the hon. and learned Gentleman used language out of the House inconsistent with that which he had used in the House. The hon. and learned Gentleman would forgive him for repeating over and over again, that his noble friend had not brought a charge against any one. He knew that his noble friend would not have made the statement, had he not believed it to be true, and believed it upon the testimony of persons on whose veracity he had the fullest confidence. After the denial of the hon. and learned Gentleman, he (Mr. Secretary Stanley) had thought it the best course to appoint a Committee of Inquiry, the character of the House being involved in the truth of such denial. The hon. and learned Member had courted the fullest inquiry, and he was entitled to claim the benefit of the inquiry of the Committee, before which no evidence in support of the accusation had been adduced. He also stood acquitted, upon his own statement, of having held conversations of the character imputed to him, the imputations having originated in loose reports and exaggerations. He did not wish to derogate from the triumph of the hon. and learned Gentleman; but he was bound to state, that his noble friend would not have advanced the statement if he had not believed it. He was glad that the House had been spared an inquiry into loose and vague conversations. He hoped that the manner in which he had just expressed himself, had satisfied the hon. and learned Gentleman. The hon. and learned Gentleman had obtained a complete vindication of his character, and was relieved from the painful situation in which he stood. There was now not the shadow of a doubt resting upon the word of the hon. and learned Member.

Sir *Henry Hardinge* wished, as all persons in the House did, he believed, that this discussion had ended long since. He could not, however, after the speech of the right hon. Secretary, refrain from saying a word or two. The right hon. Secretary appeared to him to have assumed most unjustly, that the vindication of the hon. and learned Gentleman rested in part upon his own denial. The Report acquitted the hon. and learned Gentleman, not only from the charge brought against him at Hull, but also from every other charge whatever connected with the subject. The Report distinctly declared, that neither of the witnesses had deposed to any points implicating the hon. and learned Gentleman in the charge, nor did their testimony implicate him in any matter whatever. The right hon. Secretary put the matter as though the accused was exonerated as to the Hull charge, upon the Report of the Committee; and, upon the other charges, upon his own denial. This, he said, was not the fair way of placing the result of these painful inquiries.

Mr. Secretary *Stanley* interrupted the right hon. Baronet, to state, that he had exonerated the hon. and learned Gentleman fully and completely.

Sir *Henry Hardinge* reminded the right hon. Secretary, that he had expressly declared that the noble Lord's informant believed in the truth of the charges, and that the noble Lord himself believed in the veracity of his informant. Now, the Gentleman who had given evidence before the Committee, and who was the informant of the noble Lord, had declared, very frankly and honourably, that when he mentioned the matter to the noble Lord, he attached no importance whatever to it —and further, that the conversation he had held with Mr. Sheil was held at dinner at the Athenæum Club House, and that Mr. Sheil then expressed to him the strongest disapprobation of the Coercion Bill. He had asked the witness whether he had ever stated the particulars of the conversation to any other person, and his answer was, that he had not —not having thought it of any importance. The witness had said also, that he did not mention the matter to the noble Lord till December, which was after the statement made by the hon. and learned Member for Hull. Under these circumstances, he must contend that the exoneration of the hon. member for Tipperary, rested, not upon his statement, but, exclusively and comprehensively, upon the Report of the Committee of Inquiry. He did not mean to cast blame upon the right hon. Secretary; but he thought the hon. and learned member for Tipperary entitled to be relieved from the distinction which the right hon. Secretary appeared disposed to draw.

Lord *Althorp* said that, after the speech of the right hon. Baronet, it became necessary that he should address a few words to the House. The gentleman (Mr. John Wood) who had appeared before the Committee, had certainly given him (Lord Althorp) such information as had just been stated to the House. But he was not the only person who had given him that information. He did not mean to retract what he had said. He had the greatest reliance on the veracity of his informant, but he did not wish to go into that question. He was then only defending himself from the charge of having made a statement of a conversation different from that which he had heard. Mr. John Wood was, undoubtedly, one of his informants, but there was another, whom he did not intend to name. He thought the hon. and learned Gentleman stood perfectly clear from imputation.

Mr. *O'Connell* hoped the matter would now be allowed to end. After the noble Lord's repetition of his exoneration of his hon. and learned friend, what more could be wanted? The House now had a specimen of the sort of mistakes to which the reporters of conversations were liable. Such was the mistake in this case, that the conversation was the very reverse of what had been reported. Never since the creation had any charge been so annihilated as this.

Mr. *Feargus O'Connor* said, he did not rise for the purpose of continuing this debate with reference to the case of the hon. and learned member for Tipperary; nor did he now rise from any captious motive or feeling of false honour. The House must have observed, that he was most anxious to accede to the proposition so feelingly, so eloquently, and so prudently recommended by the Speaker—of terminating this unpleasant debate. The hon. and learned member for Dublin also begged that it might now cease. With what had fallen from the noble Lord he was heartily satisfied, so, he was sure, was every honourable man. With the noble Lord, then, he had nothing more to do, but his business was with the hon. and gallant Colonel who sat behind the noble Lord. The House did not, perhaps, hear what he had heard that gallant Gentleman say at the conclusion of his speech. That part of the charge in which the gallant Colonel backed the noble Lord, went to state his confidence in that authority, which impeached several Irish Members; but the gallant Colonel, after stating his belief of the report, and repeating what he had before said, and after apologising, as he thought, concluded his observations by saying, "and I do not retract one word of what I have said." Now he (Mr. O'Connor) asked the gallant Colonel, did he or did he not—

Colonel *Leith Hay* begged to state that he had said no such thing. His information had applied only to the hon. and learned member for Tipperary, and so he had stated it.

Mr. *Feargus O'Connor*, as he had misunderstood the hon. and gallant Member, was quite satisfied, and would sit down.

The Report was ordered to lie on the Table, and to be printed.

* * *

HOUSE OF LORDS,

Monday, February 17, 1834.

Minutes.] Petitions presented. By the Bishop of London, from the Archdeaconry of Ely, for the Better Observance of the Sabbath Day; and from the same Body, against Church Reform.

HOUSE OF COMMONS,

Monday, February 17, 1834.

Minutes.] Bill. Read a third time:—On the Motion of Lord Howick, Turnpike Road Acts Amendment.

Petitions presented. By Mr. G. M. Wood, from the Protestant Dissenters of Toxteth Park, for Relief.—By Mr. Hume, from Clerkenwell, for the Repeal of the House and Window Tax; and from the Prisoners Confined for Debt in White Cross Street Prison, for Abolishing Imprisonment for Debt.—By Mr. C. Fitzsimon, from two Places, for the Repeal of the Legislative Union, and the total Abolition of Tithes.—By Mr. O'Connell, from several Places in Ireland, against Tithes; and from a Number of Places, in favour of a Repeal of the Legislative Union.—By Mr. Plumptree, from the Isle of Thanet, against the Abuses of the Funds of the Trinity House.—By Mr. Hodges, from Smarden, for a Commutation of Tithes.—By Mr. Rippon, from Gateshead, for a Mitigation of the Criminal Code.—By Mr. Hutt, from several Places, in favour of the Reform of Municipal Corporation.—By Lord Dalmeny, from Stirling, for Amending the Law of Patronage in Scotland.—By Mr. Staveley, from Ripon; and Mr. Hodgson, from Newcastle-upon-Tyne,—for the Better Observance of the Sabbath.

Tithes (Ireland)—Repeal of the Union.] Mr. O'Connell presented Petitions from Clondalkin, in the county of Dublin; from Cruisetown, county of Meath; from Lady Island, Gorey, Templetown, county of Wexford; St. James's, Kilmartin, and from Carnew, and the men of Shillelagh, and several other places in Ireland, for the abolition of the Tithe-system, and for the Repeal of the Union.

Mr. *Plumptre* said, he was sorry to see so many men labour under delusions respecting the abolition of tithes, and the Repeal of the Union. He would add, that it was a grievous delusion if they were serious in their prayer upon these two points; and he could hardly think that they could entertain one solid hope that either the one or the other would be granted. He could never suppose that a British House of Parliament would consent to a measure which would give up the whole Protestant population into the hands of the Catholics; for such would be the consequence of the repeal. Nor, on the other hand, could he think that a British House of Commons would ever consent to abolish tithes.

Mr. *Ruthven* said, he would not only deny that the Repeal of the Union would place the Protestants in the hands of the Catholics; but he would contend, that the Protestants would be placed in a better position if the Repeal were to take place. As to the question of tithes, he begged the House to look at the complaints made by the Dissenters at home. Ireland had never received any benefit from England, except in the days of its distress; and he hoped that England would not too long delay to do her justice, or she might be compelled to resort to such measures as might extort a separation.

Mr. *Andrew Johnston* hoped there were not many intelligent persons who would continue much longer under the delusion, that the payment of tithes was a personal tax, whereby an individual of one persuasion was compelled to support a minister of another. If the petitioners could make out such a case, he would admit they deserved the interference of the Legislature. The petitions would certainly receive from the House all the attention they merited; but he would take upon himself to say, that the Imperial Parliament would never accede to the prayers of either class.

Mr. *Feargus O'Connor* said, he knew that many of the resolutions in favour of the Repeal of the Union were proposed and seconded by Protestants. Every exertion had been used to prevent the discussion of that important question. A meeting upon the subject had been advertised to take place at the Crown and Anchor Tavern, but since the paragraph in the King's Speech, in which persons who advocated it had been charged almost with direct treason, the proprietor of that tavern had refused to allow the parties to have the room. An application had subsequently been made to the proprietor of the London-tavern, who, indeed, had not refused a room, but had prevented the meeting in another way, by asking six times the usual sum for the use of the room. If it was supposed, that Repeal could be prevented by adopting such expedients, they were deceived, as no power on earth could prevent the question from being agitated.

Mr. *Finch* admitted, that the merits of the question should be fully and fairly discussed; but he must vindicate the opinion expressed by his hon. friend, the member for Kent (Mr. Plumptre), that the Irish Protestants who affixed their names to petitions of this kind laboured under a great mistake—he would not say delusion, for that term might be displeasing; but he did think that they laboured under a great mistake. He entertained the highest possible opinion of the talents of the hon. and learned member for Dublin, but, with respect to a dissolution of the Union, there was something so absurd on the face of it, something so ridiculous in supposing, that two separate Legislatures would work better than one, that he really thought it would have deterred any hon. Member from seriously entertaining it. There was some secret and invisible influence which he could not discover, which hurried the hon. and learned Gentleman out of his depth. There was some secret agency at work; or he never would have proposed to a British Legislature that they should consent to a Repeal of the Union, otherwise such a proposition betrayed utter imbecility. He was inclined to think that the hon. and learned Member did not expect any success in his project. It would be extremely difficult to make two Legislatures work together. They would all recollect that, when the question of a Regency was discussed, the differences between the two Houses of Parliament had occasioned much inconvenience. When hon. Members recollected that the effect of a Repeal of the Union would be to have a Roman Catholic Government sitting in Ireland under a Protestant Government in this country, and under a Protestant Executive, there was on the face of it an anomaly so gross, so extravagant, that all those around him must be convinced that a United Legislature was most advisable. The hon. member for Oldham had a few nights since let them into some secrets respecting the commercial jealousies which would ensue if the Repeal of the Union was effected. In that event, there would be no friendly commercial intercourse maintained between the two countries—there would be a sort of half hostility, and a restriction would, perhaps, be placed upon the importation of Irish corn here, while, in Ireland, there would be a restriction on British manufactures. He would answer, at least, for the loyal English yeomen, that not one of them would desire such restrictions, but he feared they would be ordained. Then, with respect to our foreign relations—would not a Roman Catholic totally dissent from a Protestant Parliament as to what should be considered the most judicious course? Would not the power of the Church of Rome, which was paramount in Ireland, recommend a totally different system of foreign policy from that which a Protestant Parliament would deem proper. With respect to our domestic policy, the object of an Irish Roman Catholic Parliament would be to advance the interests of the Church of Rome; to exterminate the Protestant religion; to impose a grievous absentee tax; to make men absentees by a series of petty persecutions; and then to restore the forfeited estates. He knew something of the feeling which had been impressed, and the desires that had been implanted in the minds of the people by certain itinerant orators who were perambulating the country, reminding the people of all the grievances and persecutions they had endured since the time of Henry the Second, under the despotism of Cromwell, and the subsequent administration of the Penal Laws. There was, he admitted, some truth in these representations; and the people were continually reminded, that all the forfeited property belonged to their ancestors, and ought to be restored. This was one of the paramount objects which the advocates of Repeal had in view; another was the restoration of the Church of Rome to her former honours and dignities. What would be the next step? To produce endless differences between the two Parliaments, which must lead to a total separation of the two countries, and a civil war. If England should be compelled to resort to this with her fleets—with her armies—with her finances—and with her sixteen and a half millions of Protestant subjects, the Roman Catholics would be again subdued, and thrown back into the miserable state in which they were sixty years ago. The Emancipation Bill would be repealed—the country would be desolated—and civilization and improvement retarded for centuries. He would conclude by relating an anecdote. A friend of his, a Protestant clergyman, after the passing of the Emancipation Bill, found a Roman Catholic parishioner in a state of extreme excitement, anticipating the almost immediate triumph of his Church. The clergymen said, he need not be in such excessive joy, for the effect of the Bill would merely be to introduce forty or forty-five Roman Catholic Members into the House, and what could they do amongst 600? The man replied, that 50 foxes could do a great deal amongst 600 geese. He hoped hon. Members would not suppose that he called the Parliament who passed this Bill geese. Many hon. Members voted for it because it was a question of abstract grievances. He would tell the hon. and learned member for Dublin that he would obtain a Repeal of the Union when the intellect of England was converted into pusillanimity and folly—when the eye of her understanding was put out—when fifty foxes were a match for the 600 English Members—when the English Parliament was converted into 600 geese—when the sixteen millions and a half of Englishmen became subjected to the Irish nation—then, and not till then, would he obtain a Repeal of the Union.

Mr. *Finn* knew certain itinerants had been perambulating Ireland with the Bible in their hands, and had done more mischief, and excited more dissension, and, he might add, done more to destroy the Established Church than any Irish orators had ever done; and if a return were made of the number of their converts, it would be found to be very small, and that the motives which had induced them to become converts were not very creditable to either party. With regard to the English yeomen, it appeared that the Irish Protestants were to be saved from the Catholics by those gentlemen; he would, however, inform the hon. Member that the Protestants of Ireland were beginning to see their true position, and were disposed cordially to combine with the Catholics of that country to secure their mutual rights and freedom. In the county which he represented, there were 165,000 Roman Catholics, and only 5,000 Protestants; and there were ten parishes lying together in that county (Kilkenny), in which there was not one single Protestant. Was it, then, to be said that, with so large a majority of Catholics, they should be compelled to support an institution to which they did not belong?

Mr. *O'Connell* could not help remarking, that if Rome was once saved by geese, he feared Ireland would not be. He confessed that his countrymen were troubled with a fogginess of intellect, which made them unable to see their own interests, without the use of British spectacles; but, though they were so stupid a race, Catholics as well as Protestants were united in praying for relief from the tithes. They did not pray that one-third should be paid by the landlord, but that two-thirds of the whole should be free from the imposition; and such ought to be the case in a country in which there were thirty Catholic parishes in one county alone, and not a single Protestant. Both proprietors and tenants were Catholics. The petitioners, he could tell the hon. Member, did not ask for the separation from England, but they did hope that the Protestant Church would be cut down to the wants of the Protestant community in Ireland. The hon. Member had said there was a desire among the Catholics for the ascendancy of their Church. He would tell him—and he trusted he was as sincere a Catholic as the hon. Gentleman was a Protestant—that he would no more consent to the Catholic Church having the ascendancy, than he would consent to the passing of a law to make it penal to be a Catholic; for he was convinced that nothing ever degraded and debased a religion so much as allowing it political ascendancy. "My kingdom is not of this world," said the Saviour; and, detached from the kingdom of God, the Church became defiled and degraded by motives that ought to spring from a higher and a divine origin. Such an idea was appalling to the Catholics. He regretted that the hon. Member should be so full of the terms "Catholic" and "Protestant," using them as opposed to each other. It was time to leave off such childish absurdities; one would think they had gone back to the time of the Reformation, when it was fashionable to cut throats on both sides—when the Catholics persecuted the Protestants, and the Protestants the Catholics, just as they happened to be in power. In the north of Ireland, the Protestants had persecuted not only the Catholics, but each other, with an alacrity and virulence that were never exemplified between Catholics and Protestants. As to the repeal of the Union, he denied that its object was to give any body of Christians the ascendancy over another, or that it could, by possibility, happen, that if a separate Legislature were established in Ireland, it would be exclusively Catholic. Did not the hon. Member know that there were at present 105 Irish Peers, of whom seven only were Catholics, and that the number of the latter could not be increased except by the Executive of England. The hon. Member had made a discovery. He had discovered, that unity was the best form of Government, inasmuch as it was the most simple and complete. The hon. Gentleman would certainly be entitled to all the merit of ingenuity, but that a certain individual, named Bonaparte, had made the same discovery some time since, and also acted on it. But then the hon. Gentleman had not exactly discovered that; neither, perhaps, was he aware of the effects to this Bonaparte which putting this plan into operation produced. Bonaparte attempted, in pursuance of this plan, to sweep all the nations of Europe into one immense state; and his attempt ended by himself being swept off the face of the earth. So would it ever be with any monopoly of Legislation which had injustice for its basis. But, perhaps, the hon. Gentleman was not aware, that there was such a thing as a federative union; and that that was, of all other descriptions of unity, the best. The hon. Member had come forward with his epigrams on unity; he had inflicted his second hand discoveries on the House: did he not know, when he was doing so, that there were in North America twenty-two States under one federative Government?—That each of these States worked independently of the others and of the head?—That they all possessed separate Legislatures; and that, in place of clashing with each other, they all strove to one end, and successfully attained it—unexampled prosperity? The advantages derivable from separate Legislatures were never more clearly proved than in the instance of the tariff. It was found by the southern States of the Union, that their interest would be materially injured by the operation of this measure. They, accordingly, took a bold stand, and South Carolina threatened a separation if the tariff were persevered in. This had the desired effect, and the tariff was abandoned, or at least so modified as to meet their wishes. If Ireland had had a separate Legislature, would she have had the Coercion Bill inflicted on her? Then the hon. Gentleman appeared also to have forgotten, that even in Europe there was such a thing as a federative union of two kingdoms, two separate Legislatures under one Crown. Did he not know that Sweden had its own laws and its own Legislature, and that Norway had its own laws and its own Legislature, and yet that both were quietly working under the one head? Indeed if the hon. Member had been acquainted with the subject he undertook to discuss, he would have known that no country in Europe presented such compact resources against the spread of Russian sway, as Sweden and Norway united. But why go to America, or even to Sweden and Norway? Was not Ireland herself an exemplification—not alone of the possibility, but of the prosperity of such a union? Had any country on earth progressed so much in every thing—arts, sciences, industry, happiness,—as she had done during the brief, but brilliant period of her legislative independence? Was she not advancing with great strides towards the climax of greatness and glory—of prosperity and wealth,—until the poison of French principles found its way in to counteract the minds—not of the Catholics, but of the Protestants of the north; and then, being disseminated through the country, caused a war of politics, not of religion. He would not dwell on the horrors of that war,—a war for extermination rather than of fairness; he would leave to others the sickening task but he would revert to the arguments—if arguments they could be called—of the hon. Gentleman. The hon. Member had taken his stand on the repeal question, and asked how would that be settled, if such an event as a regency occurred? He would tell him. It was the easiest thing in the world. He had only to make the regent *de facto* of England, the regent *de jure* of Ireland, and the matter was settled. Thus he would at once get over the *pons asinorum* of the hon. Gentleman. The hon. Gentleman had talked of the injury the Repeal of the Union would do to the commercial interests of the country. Were not, he would inquire, the markets of Ireland as much open to England before the Union as since? And was not the consumption of English manufactures, comparatively to the then and present amount of the population, equal, if not greater? If protecting duties served Ireland, no doubt an Irish Parliament would impose them; but if they did not serve the country, it was not in the nature of things to suppose that they would be imposed. The prosperity of Ireland was the prosperity of England; injury to one was a blow at the vitality of the other. Was it not, therefore, the interest of England to support any measure which had the prosperity of Ireland for its object? The curse of Ireland was absenteeism; that was universally allowed; and even the hon. Gentleman, who made such use of his epigram, would concede it. What caused absenteeism? Was it not evidently the Union? What delivered over this country to the heartless agents and ruthless drivers of an absentee proprietary, but the Union? It was said, that the Repeal of the Union would lead to separation. He was convinced, on the contrary, that, if repeal were not conceded, separation would be the consequence. If Ireland were denied the boon she desired—a legislation of some subordinate description—she would, he was convinced, ultimately seek for separation. The hon. Gentleman had taunted him with causing the agitation of Repeal in Ireland. Little did the hon. Gentleman know of the subject when he made that gratuitous assertion. It was the Coercion Bill of last Session, and the Speech put into the mouth of the King in this, which continued the agitation of Repeal; it was the miseries, the wretchedness, the misrule, local and general, the tyranny of the Government, their heedlessness of the prayer of the people, their apathy and want of all sympathy with them, which were its original cause. These it was that generated and spread over the whole face of the land the spirit of Repeal. It was in vain for that House to flatter itself that the excitement on the question was confined to the Catholic portion of the community; it had penetrated into the north, and Protestant Ulster was coming forward with almost all its population in the cause of legislative independence. Could it be supposed, that even Protestant Irishmen did not feel the injury done to their country by the passing of the Coercion Bill? Did the House want a proof of it? He would give them a sufficient one. Mr. Sharman Crawford, a Protestant gentleman of large fortune and independent principles, had stood for Belfast at the last election, and was opposed to Repeal. Since then the Coercion Bill had been made a law; and that Gentleman was now an avowed and determined, a staunch and uncompromising, repealer. In the north of Ireland, petitions in favour of repeal were getting ready in all quarters; even in Protestant Armagh—the head-quarters of episcopal rule in Ireland, there was a petition preparing for presentation three weeks ago, and then there were 1,500 signatures attached to it. The fact was, the real repealers were those who passed the atrocious Coercion Bill. Had Ireland an independent Legislature, the Government would not have dared to propose such a measure for that country. Neither had they dared to echo it as they did in the Speech of his Majesty. It was said, that the Government was a paternal Government for Ireland. What was the case? Why, to petition Parliament, the highest and dearest privilege of the subject, was not permitted them, without first obtaining the fiat of the Lord-lieutenant. Could that be called a paternal Government when such a power was vested in the hands of any one individual? Every day the House continued that atrocious Act, the question of repeal would make ten-fold progress. It was now a question of persecution, and, like all similar questions, it would prosper the more from the efforts made to extinguish it. He defied any one to show a single instance where a Catholic popular assembly had ever spoken disparagingly of Protestants. He admitted that Catholic monarchs had persecuted Protestants; but he again repeated, that there was no instance of such a feeling in Catholic popular assemblies. [Mr. *Finch:* South America.] South America was not a fair instance. The Government of South America was essentially Catholic; but there were no Protestants in that country, and therefore there could be no persecution of Protestants; but if the hon. Member wished for an example when Catholic states had given irrefragable proofs of their liberality, he would instance the case of Maryland, where a declaration in favour of Protestants was drawn up by a Jesuit. He would also refer to Poland and to Ireland; in the latter country, the Catholics were twice in power, and, although they had suffered persecution under the former Protestant Governments, so far from retaliating, they admitted their Protestant countrymen to all the privileges which they themselves enjoyed. He challenged any one to contradict his statement. He did so with confidence, because he believed that no man could be sincere in his own belief who persecuted another for the belief which he conscientiously entertained. Catholics had been accused of proselytism. With regard to Ireland, this charge could not hold good. Proselytism then was confined to Protestants, and, indeed, never was there a more fruitless warfare carried on. He trusted that, in future, they would not hear of those phrases—he would not call it cant—about Catholics and Protestants. Such language might be well suited to form the subject of an old woman's story for the entertainment of children, but it was by no means adapted to a grave deliberate assembly.

Mr. *Sheil* could not help expressing his surprise that when petitions were to be presented, from which there might be anticipated discussions of great importance, not a single member of the Government, or any individual connected with the Government, should have thought it incumbent upon him to attend. It was originally understood that some member of the Government should be present at the early sittings of the House. Why, then, was not the Secretary for Ireland present? Or, if he could not attend, why did he not apply to the hon. member for the University of Dublin, to answer the speech of the hon. member for Dublin? But there was neither a member of the Government, nor any one that sympathized with them, or with the high Church party, in attendance to answer his hon. and learned friend's arguments. With regard to the King's Speech, which had been alluded to, he admitted that it was couched in very strong terms—in terms almost as strong as those employed by Lord Grey, then Mr. Charles Grey, in speaking of the Legislative Union with Ireland. Mr. Grey described that as a bad measure, purchased by gold, and wrung from the fears of the Irish people by treachery, and said, that the time would come when Ireland would demand its repeal and would obtain it.

Mr. *John Maxwell* hoped, that the hon. member for Dublin would forgive him for stating that it would be more desirable, and in his opinion it would be attended with success, if the hon. Member would bring forward measures for the relief of Ireland, and try whether the Imperial Parliament would afford redress, before it sought for a Repeal of the Union. He viewed that measure with fear and apprehension. A particular evil to which the hon. Member had referred was absenteeism, in the condemnation of which he concurred most sincerely. This had, more than any religious differences, caused distress and destruction in Ireland. He should be happy to find the great talent and intimate knowledge and devotion to his country, of the hon. member for Dublin engaged in bringing forward this question. He might expect to be resisted by a powerful body, but he should give the Reformed Parliament an opportunity to consider the question, and to devise some mode to diminish the evils of Ireland. The Members for Scotland were compelled to become absentees during the whole period of the Session; and he thought that those periods of absence would be shortened if matters affecting Scotland and Ireland were to be brought forward at a particular period of the Session. With regard to the absence of the Ministers, it must be recollected that they did not consider the questions upon which these petitions were presented was in the most proper state to be brought under discussion.

Petition to lie on the Table.

SUPPLY—NAVY ESTIMATES.] On the question that the Speaker leave the Chair, to go into a Committee of Supply,

Mr. *Cobbett* rose, and said, it was only last Session that they were assured particularly, and he might say solemnly, that accounts of every item should be furnished before they were called upon to grant the supplies, and yet they had hardly time to look at the estimates before they were called upon for their votes. The present estimates occupied forty-five folio pages, and contained upwards of 1,100 items; and he therefore considered that it was the bounden duty of every Member to look at every one of them before he voted the money. The right hon. Baronet (Sir James Graham) called upon the Members of the House to vote about 4,000,000*l.*, and yet, perhaps, not a tenth part of them had read the contents of the estimates by which they were to vote it, and perhaps not three-fourths of the Members had been able to open them, and look at what they contained. Unless he had in this instance done something on the Sabbath, he could not have read through all the items, and he should think himself guilty of a great crime if he voted away the money of the people, without proper time to look at all of them. There was another reason why he objected to the estimates being brought forward at this period; it was well known that a motion was to be made for the repeal of the Malt-tax, and he trusted that the landowners would show, that they understood their own interest, by insisting upon the repeal of that tax; but how could the House call upon Ministers to take off the Malt-tax, if they voted establishments which could not be supported without the produce of that tax? The old-fashioned mode of doing business was to consider the grievances of the country before voting the supplies; now, however, the practice was reversed,—the supplies were granted first, and the grievances of the people talked of afterwards. The first great grievance of the country was the Malt-tax, the next grievance was the Hop-duty, and the third the Soap-tax. These taxes altogether amounted to about 6,000,000*l.* or 7,000,000*l.*; and the Chancellor of the Exchequer told them that he had a surplus of only 1,800,000*l.* The noble Lord said, that he could not spare the taxes, and it was the duty of the House to tell the right hon. Baronet, that they could not spare the money which he wanted for the estimates. What could such an enormous naval establishmeut be required for? Not for war, certainly, because we had the word "peace" everlastingly on our lips.

Sir *James Graham* said, that, from the manner in which the hon. Member had treated the question, he hardly knew whether he was serious or not. He would appeal to any Member of the House of more experience than the hon. Member, whether he ever recollected the estimates laid upon the Table within so short a period after the commencement of the Session. Last year he had gone very extensively into an explanation of the Navy estimates, and the estimates of the present year did not differ from those of the last year, except that they had been simplified. The first vote related to the number of men proposed to be maintained for the navy, and the hon. member for Oldham must have come to a conclusion upon that point. It was impossible to introduce the Mutiny Act until the number of men for the army and navy had been voted; under those circumstances, therefore, he hoped that the hon. Member would make no objection to the Speaker leaving the Chair.

The House went into a Committee of Supply.

Sir *James Graham*, in moving the Navy Estimates, said, he might, perhaps, be permitted to congratulate the House on the prospect afforded by the financial year upon which the country was about to enter. The hon. Member (Mr. Cobbett) had adverted to the supposed indifference of Ministers to the voice of the people on the subject of taxation; but he (Sir J. Graham) would venture to direct the attention of the House to what had been already done in the way of reduction, and not only to the point how extensive that reduction had been, but how effectual. On a former occasion he had brought under the notice of the House the condition of the country, as regarded finance, when the present Ministers came into office. At that period the annual expenditure of the country had been brought, by a just economy, and by the great and honest efforts of the Executive Government, to fifty millions. Of those fifty millions, at least thirty-five millions consisted of items over which the Executive Government had no controul. First, the interest of the National Debt amounted to twenty-five millions, and the other ten millions were made up of half-pay to the army and navy, civil list, and fixed allowances to retired civil servants. Therefore, there remained only fifteen millions to which the strenuous exertions of the Government, in the way of economy, could be applied. In the year preceding the retirement of the Duke of Wellington, the Ministers had reduced taxes to the extent of 3,200,000*l.*, that having been rendered possible by a co-equal reduction of expenditure. Since the present Ministers had been in office, or during the last three years, the reductions made by them had been to about the same amount as those effected by the Duke of Wellington in the years 1829 and 1830, that was to say, about 3,000,000*l.* The annual expenditure, when they came into power was, as he had said, fifteen millions, and they had now reduced it to twelve millions. Since the year 1830, Ministers had repealed taxes to the extent of 3,200,000*l.*, and this, added to the 3,300,000, repealed by the Duke of Wellington, made together no less than 6,500,000*l.*, which had been mainly accomplished by a simultaneous diminution of the expenditure of the country. It would be wise, in that deliberative assembly, to reflect, that this great advantage had been the result of gradual and temperate reforms. They could only be temperate by being gradual—only effectual by being systematic; and, unless they were systematic, they could not be permanent: if not permanent, they could not possess that principle which was of vital importance—progressive decrease, while the efficiency of the public service was maintained; and without that, economic reform would be a curse rather than a blessing. The present Ministers had proceeded on that principle, and, notwithstanding the reduction of twenty per cent in the last three years, he and his colleagues had the satisfaction of informing the House, that in the estimates this year to be presented to its notice, a still further saving would be made, as his noble friend (Lord Althorp) had announced on Friday, of half a million. In these new reductions his department had borne its share, though he certainly should not pride himself on that, if they were undertaken with reckless haste, regardless of the best interests of the empire. That was not his principle; and it would be remembered, that, in 1831, an opinion had been formed by Ministers, that a certain additional outlay was necessary — first, to increase the quantity of a staple commodity, absolutely necessary to be kept in store; and secondly, to supply deficiencies in steam machines, and in furnishing steam vessels of war; and then he had not hesitated, to come down to the House to require an increase in the naval department, even upon the estimates of the Duke of Wellington's administration. The House, in its liberal confidence, did not refuse the vote which he then proposed, on the assurance that nothing but a sense of public necessity would have induced Government to adopt this course, and that hereafter they would omit no exertions to introduce all the economy into the department, which they conscientiously believed consistent with the naval power and greatness of the empire. He now called upon the Committee to acknowledge that the pledge had been redeemed—the promise fulfilled; for, since 1831, the reductions, in the Navy Estimates alone, had been no less than one million. In addition to that saving, he had, on the present occasion, the honour of proposing an Estimate containing reductions to the amount of 180,000*l*., as compared to the Estimates of last year. The reductions on the various Estimates, on an outlay of six millions, would be found, in three years, not less than 1,200,000*l*. The items to which economy had been applied were principally in the labour employed in the naval dock-yards. The expensive and complicated system of task-work had been abolished, and payment of daily wages had been substituted. The number of labourers, shipwrights, and others, had been decreased to 6,000—the numbers fixed by the predecessors of the present Ministers as a fit complement for a peace establishment. In making these changes, he had proceeded gradually, because to proceed gradually was to proceed safely; and he had been able to make an extended step towards a degree of reduction that, till now, would not have been deemed prudent. The wages in the dock-yards had therefore been lowered to 90,000*l*., out of an expediture of about 400,000*l*., making a reduction of very nearly 25 per cent. Another saving had been made in the victualling department. Hitherto, in order to meet the probable or possible advance in the price of provisions, a wide margin, as it was called, of ten per cent, had been allowed; but as the cost of provisions had, of late years, been much more steady and considerably reduced, it had been determined to leave only a margin of five per cent instead of ten per cent. In this way, together with the low price of all kinds of provisions, particularly corn, 42,000*l*. would be saved. The House would hear of another saving with satisfaction; and here he was bound, in justice, to say, that it had been effected by following up a principle laid down by the predecessors of the present Government—he alluded to the reduction of half pay. It had been laid down as a rule by the Admiralty before he was in office, that only one promotion should be made for every three vacancies; and a strict adherence to this plan had produced a saving on half-pay, since the present Administration took office, of 65,000*l*. a year, and, of that, between 24,000*l*. and 25,000*l*. would be saved in the present year. Other small items raised, the total diminution to 181,000*l*. in addition to the large reductions in former years, which made a total saving, since 1831, of 1,200,000*l*. He would then proceed to the point more immediately under consideration. The subject of the first vote he should propose, was the number of men for the service of the present year. First, he would observe, that though he had suggested a diminution of 500 men, he had made an addition of 1,000 boys. He had done so advisedly, and in consequence of the suggestions and discussions of last Session, when the attention of the Admiralty was called to the fact, that it was of great importance to induce boys to go to sea for the first time in the King's service. Boys so entering acquired a decided attachment to that service; and it was one of the means of supplying the navy with men without having recourse to forcible impressment. The men would be 17,500, and boys 1,000; but the cost for wages would not be more than for 18,000 men, though the expense of rations would be as for 18,500, for the same provisions were allowed to a boy as a man. On the question as to the number of men, he felt he was addressing a deliberative assembly, upon which motives of prudence would not fail to operate. This he would say, that the confidence hitherto reposed in Ministers, and the naval force placed at their disposal, had enabled them to contribute to the maintenance of the peace of Europe. The present position of the country, with relation to other powers, it was thought, did not justify any diminution in the present year, and he hoped the House would not compel Ministers to discuss the reasons which induced them to propose so large a number of men. With every desire to economise, they were satisfied that a smaller amount of force would not be consistent with the interests of the country, or with the station it held as the first naval power of the world. If he might be allowed to add anything, it would be to entreat the House cordially and at once to vote the number of men required. Unanimity on such a subject would add greatly to the moral effect of the vote, and would be equivalent to a considerable addition of numerical strength. The right hon. Baronet concluded by moving—"That 27,500 men be employed for the sea service for the year 1834, including 9,000 marines and 1,000 boys."

Mr. *Hume* said, that, with respect to the appeal which had been made by the right hon. Baronet, if he would look back, he would find that no Minister ever asked for a vote of money, that he did not make the same sort of appeal. He, however, would ask whether such an appeal could be valid, when it was insinuated, that the Minister proposing an estimate was not to be called upon for his reasons in detail? Why was not this necessary to be done? If the matter were to be decided by the Committee of the whole House, were no reasons to be given by the right hon. Baronet for the manner in which he had framed his estimates? Just because the right hon. Baronet said, he thought it right, or that he and his colleagues thought it right, was the House to have no reasons given for the course which had been taken? If so, where was the use of the deliberative assembly of which the right hon. Baronet had spoken? He was not exactly in a position to state objections which he took; but he would state, as the right hon. Gentleman, in the commencement of his address, had touched upon the general expenditure of the country, that he should have been happy to have met him. But he would observe, that he thought, before the House came to any decision upon a single point connected with these estimates, they ought to consider what was the situation and the weight of taxation of the country now, and to compare the present period with that of former years. When the right hon. Baronet praised the administration of the Duke of Wellington, and, indeed, all preceding administrations, he seemed to forget that, from the years 1817 to 1822, the number of seamen and marines employed was under 20,000. In the year 1817, they amounted to 19,000, and, between that period and 1822, they were 20,830. Now he, and he believed the House generally, felt most grateful to those who had effected reductions, and he had always said that the former Ministers were more honest and more to be depended on than the House itself then were; but was it, therefore, to be inferred that the country was now placed at the disposal of the right hon. Baronet and his colleagues? Now, he begged to enter his dissent against the course pursued by the right hon. Baronet, because they were a deliberative body; and it was surely nothing to tell them what had been the highest expense incurred in the preceding years? The right hon. Baronet had not given them a single reason for what he proposed, but, in effect, said to them, that they must bow to the opinions of himself and his colleagues. He had assigned no reason why they were to have 7,000 men more this year than during the first six or seven years after the peace, when Lord Castlereagh—who certainly was not an economical Minister—proposed the establishment of 1817, and proposed it only as one which would be temporary, but one which was necessary as respected the then existing state of Europe. But what was our situation, that, instead of 17,000, it should be increased to 22,000, and now to 27,500 men? What were the circumstances of Europe to justify this, whilst the people were to be taxed for keeping up an increase of men with all their attendant expense? No reason was given. On a former occasion, when 1,000 men extra was asked for, we had a war in India. Then, again, they had a call for men for the West Indies—then for South America. At that time, the elements of revolution were abroad, and it behoved us, as the general Quixote, to keep up a large force. But even at that period, the Minister of the day condescended to say why so large an establishment should be kept up. The right hon. Baronet had not given any reason why we should not go back to the establishment of 1792. The hon. Baronet, the gallant Admiral now commanding in the West Indies, Sir George Cockburn, had stated, that the Government ought to go back to the estimates of 1792, and that the establishments in the West Indies might be reduced. Then, with regard to the dock-yard arrangements, they were even now much beyond the wants of the nation. The tonnage of the navy now amounted to 325,000 tons; and he thought it doubtful whether, when built, so many ships could be required under the present system of naval warfare. If they were wanted, they might be built in six years. Instead of what the right hon. Baronet might have done, he was entitled to ask why he kept 5,000 or 6,000 men more than were required at the time of the peace? How were the Government to reduce taxation if these establishments were maintained on their present scale? But when he said thus much, he was quite prepared to say, that the navy should be a strong establishment, though he felt it might be reduced to 20,000 men, the number kept up under a Tory Government, when the hon. Gentlemen opposite, then sitting on his (the Opposition) side, argued for larger reductions. Now, surely, when the number of men were increased to 5,000 or 6,000 men above the mark, the Government were bound to explain why such a large establishment was to be continued. He begged to enter his most decided protest against the extravagant estimates, which had that evening been laid before the House. He had no wish to deprive Ministers of that credit which he admitted to be justly due to them, for the reductions they had made; but he must repeat the expression of his dissent from the doctrine laid down by the right hon. Baronet, when he said, that the present estimates had been prepared with every possible regard for economy. Ministers had done great injustice to many meritorious men in the service by the improper promotions they had made. The number of Captains made since 1816 was 324, of whom only 150 had seen actual service. This was a breach of faith with the old officers—with those who shared in the fatigues, and encountered the perils of the service. It was also a breach of faith with the public; for every promotion since the peace was imposing an additional burthen on the country, and was a violation of the pledge which had been given of economy. He cared not whether the parties were Whigs or Tories; both seemed served alike. The right hon. Baronet (Sir James Graham) took care of his Tory friends, as the Tories in their time had done of the Whigs. In this respect, there was no difference between them. Out of 5,000 officers in the navy, there were no fewer than 4,000 on half-pay. If any man would take the trouble to look at the list of promotions since the peace, aye, or since the right hon. Baronet had been called to preside over the Naval Department, he would see how many aristocratic names were there, and how few of those who had been promoted from a regard to real merit alone. The right hon. Baronet had taken credit to himself and the Government, to which they were not entitled. They made a merit of not having created the present immense naval establishment: if it were too great, why had they not reduced it? With regard to the promotions in the service, was it not humiliating to see so many deserving and meritorious men passed by, while aristocratic youngsters were pushed forward to promotion? This had given great offence to many meritorious men, who had been long in the service. Why did not the present Government improve on their predecessors in office, in regard to promotion, especially when they were so much in the habit, when in Opposition, of complaining of the manner in which the Tories had distributed their patronage. He wished he saw any disposition on the part of Ministers to carry on the Government with that regard to economy, which they had professed out of office. The noble Lord, (the Chancellor of the Exchequer) had said, on a former occasion, that Ministers wished to carry on the Government of the country without patronage. He would ask the House whether or not they had hitherto done so? They had not. They had carried on the Government as much as ever by means of patronage, notwithstanding the declaration of the noble Lord that it was to be carried on without.

Lord *Althorp:* I never said so.

Mr. *Hume:* It was curious, certainly, if not only he (Mr. Hume), but all the country, were mistaken in supposing that the noble Lord had made such a declaration.* He understood the noble Lord distinctly to declare, that the Government should be carried on without patronage. The Ministers had not fulfilled their promises of economy. He would ask the right hon. Baronet why, when the country was suffering so much from the pressure of taxation, there should be 27,000 men in the navy, when the number was only from 19,000 to 22,000, from the year 1817 to that of 1822? He conceived that the present Estimates were substantially the same as last year. Any alterations which had occurred, were to be accounted for from the changes which necessarily took place in the service. The question was not, what were the Estimates last year, but what was requisite for the service of the country? He would ask the right hon. Baronet to state a single reason why one additional man should be given to the navy now? When the charge for the navy was increased in time of war, the cause was an increase in the price of provisions. Prices had fallen very greatly since the peace, and the charges of the navy ought to be proportionably reduced. He saw no reason why the Naval Estimates should not be brought down to those which served from 1817 to 1823, which were six of the most perilous years in the history of this country. He would move, that the navy should be reduced to the extent of 2,000 men, so as to make it equal to what it was in 1823. They would even then be 5,000 above the number in 1817, a year in which the elements of contention were to be found everywhere—when both hemispheres were in complete turmoil. Although he conceived the marines were the most neglected of any portion of the navy, yet he thought the present number was not necessary, and they might be reduced, at least, 2,000 men. He should conclude by moving, that, instead of 27,500 seamen, as at present, the number for the ensuing year should be 25,000, thereby making a reduction of 2,500.

Sir *James Graham:* hoped the Committee would concur with him in thinking, that he should not discharge his duty, if he did not make some reply to the speech of the hon. member for Middlesex. The hon. Member was certainly a hard task-master. Notwithstanding the reduction of 3,300,000*l.* since 1830, it would appear that not one of the reductions had met with his intentional approbation. In one thing the hon. Member had paid the Government a compliment, though, probably, it was meant as a censure; he had said that Ministers applied their patronage without any distinction of party. The hon. Gentleman having thus acquitted him of prostituting the influence of which the office he held gave him command, he should proceed to notice the charge which had been brought against him of undue partiality towards the aristocracy. In his opinion, and he was sure the House would agree with him in the sentiment, the true interests of the navy would be best promoted by an amalgamation of all classes; and that, of course, made the question of leaning towards one class or the other, a question of proportion and degree, and he had no difficulty in affirming, that the course of his official conduct would show, that, in adjusting that proportion, he had been governed by those rules which were universally acknowledged as the safe guides for persons filling his situation, and that he had never departed from them, unless in a single instance, the justification of which he could readily bring forward, whenever his doing so might be necessary. The hon. member for Middlesex had said, that a great portion of the present navy might be dispensed with, for that 300,000 tons of shipping, he would undertake to say, might be built in six years; but what would the hon. Member say, when a quantity of shipping to that amount might be required in six days? The naval ascendancy of England might be ruined before one-half of the quantity could be brought into existence. What was the plan of the hon. Member opposite? He would allow all the ships which they had to go to decay, for no better reason than that they might at six years' notice revive their then defunct navy: that was one part of his plan. What was the other? Why, he would stop all promotion. On the subject of promotion, perhaps the House would do him the favour to recollect that the average ages of the first 100 Captains was above 60 years. In a service where the remuneration was so utterly inadequate, he did hope that the House would see the reasonableness of giving the officers the only recompense for which they could hope—namely, promotion. Besides that, he professed himself not very well able to understand how the efficiency of the navy was to be maintained, if the command of it, in the hour of danger, was to be intrusted to men of broken constitutions and shattered nerves. Though thus defending the system of promotion, on which the service had hitherto been conducted, he should still maintain that every possible plan of economy had been carried into full operation; and, in proof of that, he would call the attention of the House to the fact, that, in 1830, the number of Post-Captains was 853, and between that and 1834, they were reduced to 783, the difference being 70. A similar reduction from 915 to 867 had taken place amongst the Commanders, leaving a difference of 48: and the Lieutenants had been reduced from 3,583 to 3,160; the difference was 423. And what was the saving which the great sacrifices the hon. Gentleman proposed would effect?—merely 6,500*l.* on a sum of 800,000*l.* He must be allowed to say, that, neither in that nor in any other branch of the public expenditure, had the present Government laid themselves open to any charge of lavish expenditure, and, in proof of that, he referred to those items given in his opening statement, in which, since their accession to office, they had effected savings.

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*The passage the hon. Member was understood to allude to is this, "Thank God! the time at which this country could be governed by patronge is past."—See Hansard, third series, vol. 1, p. 1071.

Mr. *George F. Young* regretted, that the hon. member for Middlesex had thought it necessary to raise his voice in opposition to the vote under consideration, especially after the very justifiable appeal made by the hon. Baronet in its favour. The hon. Gentleman, however, had altogether failed in offering any good reason why the vote should be refused; and he, although at all times anxious to effect just and proper reductions in the public expenditure, was determined not to treat great political questions, involving the honour and independence of Great Britain, in a spirit of misplaced niggardly economy. It was his intention, to give his vote to the Motion of the right hon. Baronet.

Mr. *Cutlar Fergusson* thought the hon. member for Middlesex, when he proposed a decrease in the naval force of Great Britain, ought to feel quite confident, that the political state of Europe was so permanently settled that there was no reason to apprehend any occasion on which that force might be called into requisition. If such was the opinion of the hon. Member, he (Mr. Cutlar Fergusson) altogether differed from him. If ever there was a time when the navy of the country ought to be kept in an effective condition, that time, in his opinion, was the present. He would readily give his support to the vote then called for; and he would have been ready to vote for a larger force, but for an assurance given by Ministers, that whenever it might be necessary—and it might be so soon—to support the honour and character of the country, as well as the independence of Europe, even by an appeal to its naval force, that they would be ready to send it forth in all its might. When that time came, his concurrence to such a measure should not be wanting. So far from thinking the force of the navy ought just then to be diminished, he saw fair grounds for increasing it; though he would not name the quarter where a large increase of our ships might be necessary to maintain the national honour. On the Army Estimates, reduction might be practicable, but certainly it was not so in those of the navy. Before concluding, he could not avoid expressing his disappointment, that no proposal had been made for rewarding the highly meritorious services of an individual who, by his intrepidity and zeal, had so well entitled himself to the approbation of his countrymen—he meant Captain Ross. If for no other reasons than the sufferings he had endured, he was entitled to some reward; but when it appeared, as it would shortly appear, by the production of his papers, that he had rendered considerable service by his discoveries, he thought the English nation would be acting very inconsistently with that character for liberality they had so justly acquired, if they did not make him some return for the perils he had encountered.—It was his intention, however, on an early day, to move that a grant of a sum of money be made to Captain Ross as a reward for the meritorious services he had rendered to his country, and he sincerely hoped, on that occasion, to meet with the support of the House.

Captain *Yorke* would be most happy to second the Motion just announced, as he quite agreed that the important services rendered by Captain Ross entitled him to some mark of public approbation. It was his pleasant duty, on the present occasion, to compliment the right hon. Baronet upon the Estimate he had brought forward. It was one of the very best statements which had appeared for a considerable length of time, and he had no hesitation in according it his entire support. The right hon. Baronet seemed anxious to keep up the efficiency of the navy to the best of his ability, and at the same time to save, or rather to shave—wherever he could, and he certainly had succeeded in accomplishing both objects. It appeared the expenditure was to be diminished by a sum of 180,000*l.*, of which 91,000*l.* was to proceed from the reduction of the number of artificers in the dockyards. This saving he could not approve, as it would, at one blow, deprive a large number of deserving individuals of all means of support. There was a vote he perceived among the Estimates, for enlarging the arsenals at Woolwich, to enable the Government to build vessels in that dockyard on a larger scale than any of those at present in use. He did not object to the experiment being made; but he wished to warn the right hon. Baronet against trying the experiment on too extensive a scale, for he was confident that ships of the proposed size could never be rendered available in a line of battle. In tacking and wearing, they would be found very difficult of management, and in those respects, infinitely inferior to the line-of-battle ships at present in use. To frigates of a larger class he did not object, but he was confident the large line-of-battle ships would prove totally useless. There was, he perceived, to be a reduction in the expenses of transporting troops. Now, he wished to know if the right hon. Baronet expected to effect that reduction by transporting troops in the winter, instead of the summer months. If so, he begged to say, that there would be no economy, and considerable inconvenience, in the alteration. Transports certainly could be hired at a cheaper rate in the winter than in the summer months, but then there was the chance of their being detained considerably longer on the voyage during the winter months. It was only the other day an instance of the impolicy of transporting troops during the winter months occurred. The 7th regiment had been detained for two months by adverse winds, at Portsmouth, and, owing to the crowded state of the vessel, a fever had broken out, which had been attended with most fatal consequences. He, therefore, repeated there would be no economy in confining the transporting of troops to the winter months, even though the hire of ships cost less at that period of the year than during the summer. He certainly felt satisfaction at finding there was no intention to diminish the present naval force; and he must repeat, that it was his intention to give the vote before the Committee his support. He felt bound to say, that, speaking generally of the administration of the right hon. Baronet, it did him great credit. He had economised as far as was in his power, but at the same time he had not sacrificed the efficiency of the service over which he presided to any seeking after temporary popularity. The House and the country, anxious to preserve peace, might rest assured the best course that could be adopted was, to maintain an effective naval force; and if the right hon. Baronet continued his exertions to keep that force in its present condition, he would do more for the honour and independence of his country, as well as for the general peace of Europe, than the noble Lord at the head of the Foreign Department would be able to effect with all his diplomacy, backed by all his protocols.

Mr. *Aaron Chapman* said, it was much to the credit of his Majesty's Ministers that they kept up, in an efficient manner, that strong arm of power, by which this country had been so long protected. For this they deserved the country's thanks, and he would willingly support the Motion.

Mr. *Lloyd* said, that though he was anxious to enforce economy in every branch of our expenditure, yet he thought this was not a time when they ought to lessen their naval power. The hon. member for Middlesex had told them, that they were called upon to place a blind confidence in Ministers, but, with respect to the navy, they were called upon to place only a reasonable confidence in them. Every man who did not wilfully shut his eyes, must see the necessity which existed of keeping up our naval force at a period like the present, when the cause of constitutional freedom was threatened in various parts of the world. If the hon.

member for Middlesex were to press his amendment, he, for one, could not support it, as he was determined to give his support to Ministers on the present occasion.

Mr. *Cobbett* observed, that much had been said, on both sides of the House, on the present occasion as to the necessity of supporting an efficient navy; not, to be sure, for the purposes of war, but for the purposes of peace. He agreed with those who supported this proposition, because he thought the best way of preserving peace was by showing that we were at all times ready to go to war. Therefore he agreed with those who wished to maintain an efficient naval force, and he regretted, that the hon. member for Middlesex should have voted against it. But that was not the ground upon which he (Mr. Cobbett) wished to go. The hon. member for Middlesex was sometimes right—they were all sometimes right. For himself, he thought, that the navy did not consist of one man too many; that there were too many marines he would by-and-by endeavour to show. But it was not the number of the navy, but the cost of the navy, that was objected to. Let him state, and he trusted that hon. Members would attend to the fact, that, in 1782, we had 100,000 sailors and marines. We were then at war with France, Spain, and Holland; that war was carried on in different quarters of the world; and yet our naval expenditure, at that period, did not exceed the estimate proposed for the present year more than by a sum of 1,900,000*l.* But it had been said, that promises had been given last year that the Navy Estimates were to be laid before the House early in the present Session, and the right hon. Baronet challenged the House whether they had ever been produced at an earlier period than the present. No, to be sure not; he (Mr. Cobbett) believed they had never been produced earlier; but that was not what was complained of. The complaint was, that they had used to be produced so short a time before they were called upon to discuss them. The noble Lord opposite, as well as the hon. Baronet and his friends near him, had, however, promised that sufficient time should be given this year for that purpose. This, then, was his ground of complaint. There were some cheers—not so many, however, neither would they go off so lightly as on former occasions—when the right hon. Baronet mentioned the amount of reduction in the navy to be 180,000*l.* Now, of this sum, 40,000*l.* it appeared, was a God-send—it was saved because it had pleased God to send cheap corn and cheap provisions; and surely they were not to thank the right hon. Baronet, or those about him, for what had fallen from the skies. Then there was 91,000*l.* saved by a reduction of artificers and others, so that here they had at once 130,000*l.* out of 180,000*l.*—one portion given by Providence, and the other at the expense of the poor artificers. Let them for a moment contrast this with what had been received by the rich in one year. They received more than 800,000*l.* of the public money. If hon. Members would look into the book, and a useful little book it was, they would find that the half-pay to officers and marines amounted to 847,360*l.* Now, the whole sum paid to artificers was 300,000*l.* and some odd hundred pounds; yet, while from the 800,000*l.* belonging to the officers, only 24,000*l.* was taken—while the rich body were treated with such tenderness, let the House mark the manner in which the right hon. Gentleman tossed the poor artificers out of his way,—a class of persons too, be it remembered, who had little or no chance of procuring bread elsewhere. Mind, he did not hold that the men should be retained if the public service did not require them; but he wished to point out, that from the 300 •• and some odd thousand pounds, the right hon. Baronet felt no scruple in cutting off 91,000*l.* while, out of the half-pay of officers and marines, amounting to 847,360*l.*, he could scarcely find it in his heart to deduct the sum of 24,498*l.* He found no fault with the present strength of the navy, or the proposed number of men, neither would he object to its being now in as efficient a state as it was during the last peace. For the last ten or twelve years this Government had taken every insult from other Powers, without once crying out, "fight," or "war." He had no objection to an efficient navy; it was, on the contrary, that which he had always supported; but yet he should like to know why the right hon. Baronet (Sir J. Graham) now asked for more than four millions of money, while, during the last peace the navy estimate was little more than half that sum? He should also like to know upon what principle it was, that the first hundred Captains on the list were to be selected for service rather than the last hundred, who were younger, and one would, therefore, suppose more efficient for the service? Why any new promotions while so many efficient and active officers were placed upon half-pay? He believed that the Government was willing to reduce expenditure, but they could not do so unless the House were at their back; and, holding this opinion, he implored the House to save the Government from their persecutors. He recollected very well when the right hon. Baronet brought forward a motion relative to the incomes paid to sinecure Privy Councillors, and the over-paid Consuls of this country to foreign States—he well recollected when the right hon. Baronet contrasted the extravagance of our then Government with the economy of the American Government—he well recollected that that motion was made in a radical, if not in a Jacobinical sort of way; and what would be now desirable to know was, whether the right hon. Baronet was then sincere. Did the right hon. Baronet seek a good practical object in his motion, or did he introduce it from factious—nay, almost seditious motives? The right hon. Baronet was now pleased to disparage what he called the niggardly economy of the hon. member for Middlesex; but, in all that he heard fall from the right hon. Baronet, there was nothing to justify his calling for a vote of above four millions of money, except his bare assertion.

Sir *James Graham* said, that as he was so personally alluded to, he felt it necessary to make a few, and only a few, observations. The hon. Gentleman who had just sat down applied a test to his (Sir J. Graham's) sincerity in bringing forward the Motion alluded to when he sat at the other side of the House; and he would readily abide by that test. He then said, that the Consuls were overpaid, inasmuch as the charge for their services to the public was 90,000*l.* a-year.; but did that evil remain unredressed? [Mr. *Hume*: Yes.] The hon. Member must be mistaken, inasmuch as the Consular expenditure happened to be now reduced to 60,000*l.*, instead of 90,000*l.* As to that part of his motion which related to sinecures and pensions to Privy Councillors, the object of his then attack was the pluralism of such sinecures and pensions; and he had also pointed out no less than five Cabinet Ministers who received salaries from sinecure offices, while they also held effective offices and corresponding salaries. And now he would just put it to the House, what was the first effective step which he had taken, in unison with his colleagues, to do away with such unmerited pensions and sinecures? The subject was referred to a Committee of this House, and the salaries of Cabinet Ministers had been reduced at least twenty per cent. Thus far, at least, he could say, that he had realised on the Ministerial side of the House the very same principles which he had advocated when sitting on the Opposition benches. He would add, that the practice of holding sinecure offices with a seat in the Cabinet did not at present prevail. [*Several voices* "*Lord Auckland.*"] His noble Friend certainly held three offices—but how stood the fact? Why, that his noble friend discharged the efficient duties of these three offices, and was only in the receipt of one salary. With respect to the complaint of maintaining the proposed number of seamen, he could only say that the number was considerably greater when Sir George Cockburn brought forward the Navy Estimates in the time of the last Administration. That gallant officer was high authority upon such a subject; and yet it was matter of congratulation to the present Government that they were enabled to reduce that number without impairing the efficiency of the service. He denied, that any neglect had been shown to the poor or inferior officers in the navy, or even to the artificers in the dock-yards, for, although the number of persons formerly employed in them had been reduced, yet 10,000*l.* a-year was distributed amongst them upon a principle analogous to that upon which the half-pay was distributed to retired officers. In fact this arrangement was a contract made by the House of Commons to a meritorious class of individuals; and he hoped the House of Commons would never shrink from its full performance. Where unnecessary labourers were employed, it became the duty of Ministers to reduce their number, however unpleasant it might be to their private feelings.

Mr. *Hume* said, he never would refuse a proper reward to a worthy man; and, in saying this, he was quite surprised that such a man as Captain Ross had not as yet received any remuneration for his arduous and highly valuable services. He (Mr. Hume) had never been an advocate for what was called "niggardly" or twopenny halfpenny economy, although such a charge had often been brought against him However, he was hardened to such charges; and, like men accustomed to being flogged, did not so much regard the punishment as others. His object always was, to prevent bad government by a reduction of the expenditure of the country. He would beg to remind the House, that this vote embraced more than they were acquainted with—it embraced Generals and Colonels of Marines, without specifically stating the names of all officers of all classes connected with the naval branch of the public service. This confusion was improper; and it would appear the more so if Gentlemen would look at the clear and perspicuous manner in which the Army Estimates were laid before the House for the present year. If all the estimates were as clear and as intelligible, much of the time of the House would be spared in their discussion. He did not see any necessity for 9,000 marines, although it might be true that the estimate brought forward by Sir G. Cockburn was higher than that of the right hon. Baronet (Sir J. Graham.) In the estimate of Sir G. Cockburn was included 2,700 men for the coast blockade, which would now come under a different estimate, and, therefore, the right hon. Baronet should not take so much credit to himself for his proposed reduction. Why, he would ask, with such a list of Captains and Lieutenants, able and willing to discharge their duty efficiently, should any new officers have been appointed? This was an important subject upon which the House ought to be furnished with the most accurate explanation. Why include barrack expenses in this estimate? Indeed when he found the Government receiving the support of the Tories, he must, of necessity, begin to suspect they were guilty of extravagance. He would not oppose any measure the object of which was to strengthen the navy, and in so doing, he thought he was best upholding the sound policy of England. He wished the navy, properly so called, to be effective—to be able to compete with any other Power of Europe—aye, and to be paramount to it also; but he did not think that 9,000 marines were necessary to that object. He believed we had 184 sail afloat, but no more than 4,500 marines could be effectively employed on board them—the other 4,500 being employed to do the duty of soldiers at home. We should have no more men now than in 1795—for as to talk of keeping a greater number to check Russia, he thought that Russia was nothing but a bug-bear. He called upon every Member who valued the efficiency of the navy, with a due regard to economy, to vote with him, while, at the same time, he would allow every Gentleman to vote as he pleased. He had never asked any Member to vote with him, or to second any Motion which he had made—he had always taken his own way—believing that he was right.

Mr. *Labouchere* said, he was friendly to all judicious economy; but, under the name of economy, many fallacies could be detected. The number of marines now called for, was necessary for the public service, inasmuch as they formed a nucleus round which (if the necessity pressed) we could easily augment our navy. Marines were not to be made or had in a day, as sailors were, in a period of necessity; and he hoped the House would not consent to the amendment of the hon. member for Middlesex.

Mr. *Sinclair* was glad to find, that his hon. friend, the member for Middlesex, did not consider acquiescence in all his opinions to be an essential ingredient in parliamentary independence, and did not wish to act towards Members the Jack Cade part of being viceroy over their votes. He (Mr. S.) had never courted Ministerial favour by supporting Government when he thought them wrong; nor would he earn a spurious popularity by opposing them when he deemed them in the right. He should cordially support the original proposition. The present, as had been justly observed, was a question not of servile, but of reasonable confidence. It could not be expected, that every individual Member could be prepared, of his own knowledge, to determine what was the proper number of sailors or marines which the public exigencies required; but he was disposed, on this subject, to attach more weight to the sentiments of his right hon. friend, who had access to every source of information, than to the suggestions of his hon. friend behind him. He was happy to vote for keeping both these valuable corps in their actual state of efficiency.

The present state of Europe rendered it indispensable for this country to maintain a commanding attitude, and to show that we were equally ready to extend protection or aid to an ally, and to resist that spirit of aggrandisement which was continually, manifested in certain quarters.

Sir *Edward Codrington* deemed it materially essential to maintain a large marine force. The finest regiments in the empire would be found of little or no use if suddenly called into the marine service. Indeed it was always necessary to maintain a greater number of marines than might appear to be required. He was not opposed to economy, but it should be economy in a just degree, and judiciously exercised. They might reduce as much as they could, but, at the same time, justice should be done in the dock-yard. If reduction were to take place, it should run fairly through the entire Pension-list, and extend to the navy only in its just and proportionate degree. Economy attempted in any other manner would be false and injudicious.

Mr. *Thomas Attwood* wished to declare, looking at the recent treaty concluded between Russia and Turkey, by which the latter had become only a province of the former, and, looking to the present dubious state of affairs, that he should support the original Motion.

Mr. *Gisborne* must also say, though a friend to economy, that he could not support the Amendment of the hon. member for Middlesex.

The Committee divided on the Amendment. Ayes 20; Noes 196—Majority, 176.

List of the Ayes.

Blake, M.
Brotherton, J.
Buller, C.
Cobbett, W.
Faithful, G.
Fielden, John
Fitzsimon, Christ.
Gaskell, D.
Jervis, J.
Lister, E.
O'Connor, F.
Oswald, R.
Parnell, Sir H.
Romilly, J.
Ruthven, Ed.
Vigors, J. N.
Wallace, R.
Warburton, H.
Wason, R.
Williams, Col.

TELLER.

Hume, J.

On the question, that the sum of 104,551*l.* should be granted to defray the charges and expenses of the Admiralty Office,

Mr. *Ruthven* moved, as an Amendment, that the sum should be reduced to 102,051*l.* He thought the salary of the First Lord of the Admiralty might be reduced, with great advantage, from 4,500*l.* to 4,000*l.* per annum; and that, instead of having five other Lords of the Admiralty, at 1,000*l.* per annum each, three would be quite enough to transact the public business efficiently.

Sir *James Graham* had but little objection to the proposed reduction of his own salary, but assured the hon. Member, that, under the present consolidated system, it was absolutely necessary to have Lords of the Admiralty. Each presided over his separate department, which required his daily attention; and it was not possible that a smaller number of gentlemen could perform the duties required of them.

Mr. *Sanford* gave the greatest possible credit to the First Lord of the Admiralty for the judicious reductions which he had effected in the department of which he was the head; and, so far from thinking his salary ought to be reduced, he thought, if anything, it should be increased. The salary of the First Lord of the Admiralty was less by 500*l.* than that of any other Cabinet Minister of equal rank, whilst his duties were neither less important, nor less onerous, than those of his colleagues; and they could not forget, that those duties had been performed in a very efficient manner. With regard to the reduction of two Lords of the Admiralty, the right hon. Baronet was the best judge; and, after what had been said on that subject, he felt himself bound to negative the Amendment.

Mr. *Thomas Attwood* thought the right hon. Baronet would be extremely fortunate if his salary experienced no greater reduction than 500*l.* By an act of the Cabinet the value of money was doubled, and, therefore, the salary should be reduced at least one-half. Aye, and it would be reduced, too, Not by the present House of Commons, for that he did not expect; but by one that was to come.

The Committee divided on the Amendment: Ayes 29; Noes 160—Majority 131.

The original Resolution was agreed to.

List of the Ayes.

Attwood, T.
Blake, M.
Butler, Colonel
Brotherton, J.
Beauclerk, Major.
Cobbett, W.
Faithfull, G.
Fielden, John
Fitzsimon, N.
Fitzsimon, C.
Fitzgerald, T.
Finn, W.
Gaskell, D.
Hume, J.

Hutt, W.
Jervis, J.
Lister, E.
Nagle, Sir R.
O'Connell, D.
O'Connell, M.
O'Connell, J.
O'Connor, F.
Oswald, R.
Parrott, J.
Ruthven, E.
Vigors, J, N.
Talbot, J. H.
Wallace, R.
Walker, C. A.

TELLER.

Ruthven, E.

On the Question, that a sum not exceeding 21,720*l.* be granted to his Majesty for paying the Salaries of the officers of the Navy Pay Office for the year 1834—35,

Mr. *Halcombe* adverted to the retirement of four clerks, on large allowances, which had taken place some time ago in the Navy Pay Office. Their places had been supplied by four young men, at the usual salary, so that a considerable additional expense had been incurred. It was a remarkable circumstance, that, at the election for Dover, and which occurred soon after, the sons of the gentlemen who had so retired were found among the most active partizans of the right hon. Gentleman opposite.

Mr. *Poulett Thomson* denied that there was anything irregular in the circumstance alluded to. The clerks in question had retired, as they were entitled to do, after a long service. By the arrangements for the consolidation of offices, which had been made last year, an immediate saving had been effected for the public of 1,400*l.* a-year; the saving now amounted to above 2,200*l.* a-year. The retirement of the gentlemen in question was connected with these alterations.

Sir *Thomas Freemantle* thought it strange, that new clerks should be introduced at a time when a consolidation of offices was the professed object of Government for the purposes of economy. He believed the retirement of the clerks in the right hon. Gentleman's office was by no means voluntary, although he believed the right hon. Gentleman was imposed upon by some one in his office.

Sir *Robert Peel* thought it important there should be no misunderstanding on the subject of a clerk's right to superannuate after a certain period of service. The right hon. Gentleman had stated, that a clerk had an absolute right to retire. Now, he had always understood, that, after forty years, a clerk was qualified to superannuate; but there was a discretion as to admitting it on the part of the Government. If his bodily health would permit his continuing in office, he had no absolute right of retirement. The forty years' service was an indispensable qualification,—it conferred no absolute right. That was the construction of the Superannuation Act, according to his view and the admitted practice. He thought it material that there should be a proper understanding upon the subject.

Colonel *Davies* said, that the construction of the Act for many years past had been, that, after a certain length of service, a clerk was entitled to demand his superannuation. The proper construction of the Act might be as stated by the right hon. Baronet.

The Resolution was then agreed to.

On the question, that 119,168*l.* be granted for salaries of officers and naval establishments at home,

Mr. *Cobbett* complained of the manner in which the several charges for advertisements were mixed up with other charges, so that neither the amount nor the paper to which paid, nor the person by whom paid, appeared in the account. Thus, in page 6, was the following entry: —" Fuel, stamps, repairs, travelling charges on the public service, advertisements, and other expenses, 11,000*l.*" Now, why were not these different items separated? Why were advertisements put in with " other expenses?" That was not the way to make out accounts; nor was it the way that the Members of his Majesty's Government would permit accounts to be presented to them by their stewards. Who paid these advertisements? and did he not put anything else into the Newspapers with which he advertised? Could it have been expected that a Reformed Parliament would pass accounts made up in this manner? In page 10, another instance of this mode of lumping charges occurred. There the entry was, —" Postage and travelling charges on the public service, regulating yard clock, allowance to lecturer, advertisements, and other small expenses." At page 17, again, a charge for advertisements was mixed up with charges for pumping, carting of rubbish, and other small expenses." He complained that the right hon. Baronet had not given the House time to examine these estimates. He declared he had had but six hours, unless he had broken the Sabbath, to look into them. They had gained nothing in having them laid on the Table early in the Session, if they were obliged at once to pass these estimates.

He hoped the right hon. Baronet would give them a little time. No; he preferred leaving it to the right hon. Baronet to postpone.

Sir *James Graham* expressed his surprise, that the hon. Member, who was generally so accurate in his language, should have confounded an estimate with an Account. The two things were perfectly distinct. The papers on the Table were estimates of probable expenditure, not accounts of the past. If the hon. Member wished to have the particulars of any item of the last year, he would readily give it.

Mr. *Cobbett* said, he should not object if they were not called upon to vote money. That money would go into the noble Lord's hands, but it would not remain there. Plenty of persons would come and take it out again.

Vote agreed to.

On the Motion, that a sum of 847,360*l*. be granted to defray the half-pay of officers in the Navy and the Royal Marines,

Mr. *Cobbett* said, that he objected to this vote. It surpassed in amount the sum required to maintain the navy and army of the United States of America, and the expenses of the embassies of those States to the different countries of Europe. He did not wonder at the people of this country being poor when they were called upon to pay such a sum as this for such a purpose; but if the House granted this vote, all he could say was, that the House could not, with any face, call upon the Ministers for a reduction of taxation. They might talk about the propriety of reducing the Malt-tax, the House-tax, or any other tax; but, if this vote were granted, would such a demand be reasonable? He thought not; and, therefore, he should divide the House upon this vote, thinking, as he did, that a Committee of Inquiry should be appointed to investigate the matter before such a sum of money was granted.

Sir *James Graham* did not see the least necessity for postponing the vote. The question was nothing more nor less than whether the House of Commons was prepared to perform a solemn contract, which had been entered into with the gallant officers who had fought the battles of the country? He should be ashamed to argue such a question; and he felt convinced, that such a proposition would not be entertained for a single moment by a House of Commons truly representing the people of England.

Mr. *Cobbett* said, that the right hon. Baronet had not stated the question correctly. He (Mr. Cobbett) did not oppose allowing half-pay to officers who really deserved it; but he objected entirely to the principle upon which it was at present granted. He contended, that the charge for half-pay was most exorbitant, and was much more than the country ought to be called upon to pay. It was, therefore, the duty of the House of Commons to inquire into the subject; and if the Reformed Parliament refused to do so, he at once declared it was not worth that. [Here the hon. Member struck the Table with much vehemence.]

Mr. *Hume* could not support the proposition of the hon. member for Oldham, at the same time, he agreed with him, that the charge for the half-pay was most extravagant. It appeared to him to be perfectly monstrous that the charge for half-pay, should, at the present moment, be nearly as much as it was in 1817. He believed that the number of captains on the half-pay list was 850, and of lieutenants about 3,000, which was nearly the number in the half-pay list in 1817. He had no wish to deprive any officers of their half-pay, but he complained that so many promotions should take place in the present situation of the country. The Government pledged themselves to bring forward some measure relative to superannuation allowances which would ultimately lead to considerable reduction; and he complained, that, although this promise was made three years ago, nothing had hitherto been done.

Sir *James Graham* would be perfectly prepared, when the proper time arrived, to discuss the question of superannuation. He thought that the principle upon which superannuation allowances were made at present was erroneous, and he had intended to have brought forward some measure on the subject; but the pressure of other business had hitherto prevented him from doing so. That, however, was not the question the House was called upon to discuss at the present moment. The question was, whether a positive engagement should be broken or not, which had been entered into with a number of gallant officers who had served their country for a number of years.

Major *Beauclerk* should not oppose the

vote, although he was satisfied that the system of promotion in the navy, which had led to such a large charge for half-pay, was most objectionable.

Mr. *Guest* could not support the proposition of the hon. member for Oldham, and he should be greatly astonished if it met with any supporters. He rejoiced, that there was a probability that the system of superannuation would be altered, for, as it was at present, it was really scandalous.

Mr. *Cobbett* did not understand the hon. Gentleman who had just sat down. The hon. Gentleman said, that he should be astonished if his suggestion received support, but, at the same time, he rejoiced that the right hon. Baronet, the First Lord of the Admiralty, intended to alter a system which he said was scandalous. He (Mr. Cobbett) proposed to alter this system at once, but the hon. Member was opposed to such a proposition. He (Mr. Cobbett) could only express his surprise that the hon. Gentleman should lend his support, for a single moment, to a system which he had himself designated as scandalous.

Mr. *Guest* did not allude to the half-pay, but to the civil superannuation allowances, which amounted to 1,600,000*l.* He did not complain, that half-pay was given to those who had long and faithfully served the country.

The vote was agreed to, and the House resumed.

HOUSE-TAX.] The Report of the Committee of Ways and Means was brought up.

On the question that it be read,

Mr. *Hume* said, that he wished to ask the noble Lord opposite a question with reference to the financial statement which the noble Lord made a few nights ago. The noble Lord, on that occasion, stated, that the amount of the House-tax was 1,100,000*l.*, and last year, when the noble Lord proposed to make a considerable reduction in that tax, he said, that it produced to the revenue 1,250,000*l.* a year. This appeared to him to require some explanation.

Lord *Althorp* said, that last year he stated the House tax produced 1,400,000*l.*, and not 1,250,000*l.*, as was supposed by the hon. Member. He (Lord Althorp) took the reduction then made at 250,000*l.*, although the actual reduction was only 240,000*l.* The present amount of the House-tax was nearly 1,170,000*l.*

Mr. *Hume* understood last year, that expectations were held out to the country, that the House-tax would be reduced 470,000*l.* or 500,000*l.* The people, from what was said by Government, expected relief to that amount. The explanation of the noble Lord appeared to him to be very surprising.

Lord *Althorp* said, that the hon. Member, on reflection, would recollect, that he (Lord Althorp) at first proposed a reduction to the amount of 100,000*l.*, but, after a number of alterations had been made in his proposed arrangement, he admitted that the reductions would probably amount to 400,000*l.* The reduction, however, turned out to be, not 400,000*l.*, but 250,000*l.*

Mr. *Hume* observed, that the noble Lord, in his statement on Friday, took into calculation 800,000*l.* which would be required to pay the interest on the compensation-money to be given to the West-India proprietors. Now, he, (Mr. Hume) understood that the 800,000*l.* would not be paid until after the present year; he was, therefore, of opinion, that the country should have the benefit of it, and that the noble Lord should make a further reduction of taxes.

Lord *Althorp* said, that he did not expect that he should be called upon to pay any large portion of the interest during the present year. To some of the colonies the money would be advanced at once, and would commence bearing interest from the 1st of August; at the same time, certainly not more than half the sum stated would be required this year. But, in stating this, he was sure that the House would agree with him that this circumstance would not justify him in making a permanent reduction in the revenue. It was his duty not to look to the temporary charge, but to the permanent charge, when he made his financial statement. He should be unmindful of his duty as Chancellor of the Exchequer if he adopted the advice of the hon. Gentleman, and proposed a further reduction of taxation on such grounds.

The Report was agreed to.

HOUSE OF LORDS,

Tuesday, February 18, 1834.

MINUTES.] Bill. Read a first time:—Turnpike Acts Continuance.

Petitions presented. By Lord KENYON, from a Parish in Bedford, for the Protection of the Established Church and its Constitutional Alliance with the State.—By the Earl of ROMNEY, from Maidstone; and by Lord DACRE, from

Ashby-de-la-Zouch, for Relief to the Dissenters with regard to Church Rates, Marriages, and Registration.—By the Duke of RICHMOND, from the County of Northampton, and two Parishes, for the Continuance and Extension of the Labour Rate Act.

HOUSE OF COMMONS.

Tuesday, *February* 18, 1834.

MINUTES.] Petitions presented. By Mr. F. O'CONNOR, from Cove, for the Abolition of Tithes in Ireland.—By Mr. INGHAM, from South Shields, for the Prohibition of Naval Impressment.—By Mr. ANDREW JOHNSTON, from Cupar, for an Alteration of the System of Lay Patronage in Scotland.—By Mr. CURTEIS, and Mr. RIDER, from several Places, for a Commutation of Tithes.—By Mr. CURTEIS, from several Parishes, for the Improvement of the Law relating to the Tenure of Land.—By Mr. WILKS, from the Dissenters in several Places, for Relief.—By Mr. POULETT SCROPE, from Stroud, for Measures to suppress Duelling.

REPEAL OF THE UNION.] Mr. *Feargus O'Connor* presented a petition from the inhabitants of the town of Cove, in the county of Cork, for the repeal of the Legislative Union; and, in doing so, he was almost inclined to agree with the hon. member for Kent, that they should have very little hope from the presentation of all these petitions, when they were obliged to go on presenting them day after day without any of his Majesty's Ministers being present, who had stated that they would resist this question to the death. He was almost at a loss to know what course he should pursue, more especially at a time when the cry for the Repeal of the Union was become so prevalent. The petition which he held in his hand was from the town of Cove; and he conceived that the inhabitants had a good right to complain of the Union, for their town had been formerly flourishing and prosperous, and now it had been deprived of all its resources, for the little that had been left had lately been taken from them. What had that House done for Ireland, that Irishmen should not expect something from a domestic Legislature? What measure had been passed in the Reformed Parliament, either of grace, or justice, which could give satisfaction to the Irish people? He was happy to see the noble Lord (Lord Althorp) in his place and he would say, in his presence,—that no Ministry had done more to destroy the confidence existing between Catholics and Protestants, than the Ministry of which the noble Lord formed a part. It had been said, that they looked for other measures besides the Repeal of the Union; but he begged to assure the House that, the Irish Members had no such intention. One of the greatest checks upon the conduct of Members of that House was to be obliged to return to their constituents; but what availed it for the 105 Irish Members to come down to that House, where there was no disposition to accede to any proposition, be it ever so good, which emanated from them? He had been, however, told that the Irish Members had lately enjoyed some triumph, because it had been agreed that Baron Smith should pay a visit to this country. The House had been told, that the Repeal of the Union was to be resisted even to the death, and that his Majesty's Ministers were determined not to pass a law for the dissolution of that Union. What then became of the right of petition—that inestimable right of Englishmen, and Irishmen too? He would tell the House and the noble Lord opposite, that even with the threat of resistance to the death before him, the measure would most surely pass, or the total separation of the two countries would ensue. He had lately attended nearly twenty public meetings, at some of which there were more than 40,000 persons present, and all unanimous in asking for a Repeal of the Union. The inhabitants of Ireland knew their own interests too well to submit any longer to the domination under which they had hitherto so severely suffered. The farmers knew that their retail markets were gone in consequence of the Union, and that they were dependant for their wholesale market upon the caprice of England. Which of the two markets was of most advantage to the seller or the buyer it was not difficult to decide. It was quite true that a family could live cheaper in Ireland than in England, the larger the more cheaply; but he (Mr. O'Connor), as a private individual, could live more cheaply in the heart of London, than in Ireland. The reason was, that the retail markets of Ireland were gone. If a steak was wanted there, an ox must be bought. The noble Lord opposite, would, no doubt, understand the peculiar advantage of that; and if a pound of butter were required, it could not be had unless a firkin were purchased. The mass of the produce of the country was sent to England, and sold at an enormous advance on the price paid for it to the Irish farmer, thus giving all the profits to the people of England. The farmers of Ireland knew this perfectly well; and it formed an incontrovertible argument with them for repeal. Hon. Gentlemen were too much in the habit of thinking that Ireland was governed by some established and unchangeable law, but it was no such thing; it was governed by the will of the Lord Lieutenant. The petitioners were perfectly alive to the situation in which they were placed by the Union, and their language was, that the Legislative Union had not produced them those advantages which the advocates of that measure promised would result from it." No, nor had any of those promises been carried into effect by his Majesty's Ministers. The Coercion Bill was introduced, and was said (and on that ground, obtained the support of the Gentlemen on that, the Opposition side of the House) in order to prepare Ireland for healing measures. What was the first Act of the Government? They allowed those who had not received tithes for many years, and among them, the Duke of Devonshire, to come in and exact them. That noble lay-impropriator and English Duke, came into the parish, where he resided and claimed 2,000*l.* from a pauperized population, not because he wanted the money, but because Government had given him the opportunity. He might be told that the noble Duke was not a Minister, but he was a member of the royal household. He would not, however, further trespass on the House, but conclude by asking the opposers of the Repeal of the Union what single Act had Ireland a right to thank them for since the passing of the Coercion Bill?

Mr. *Dominick Browne* did not wish to enter into the merits of the speech of the hon. Member who had just addressed the House, but he wished to convey to the House the real sentiments of the people of Ireland upon the question. He had reason to believe that they were acted upon by individual influence, and priestcraft, and that half the petitions would never have found their way to that House but for such influence. If the real sentiments of the people were known, they would be found to be heartily and sincerely attached to England. They had been deluded by the declarations of individuals, by their own ignorance, and by a latent power in that country to make them think that England was their bitter enemy. He would pledge himself to the House that half the petitions flowed from this source. In respect to the county he represented (Mayo) he knew that they were the fruit of a system of terror, and an influence totally unconstitutional. Those petitions were not the constitutional voice of the people, nor was the question one raised by the people, but by the hon. member for Dublin. He did not wish to say anything offensive; but he felt it his positive duty to state to the House, decidedly and unequivocally, and without fear, the exact state of the feelings of the people of Ireland upon this question.

Mr. *Finn* begged to say, that the motives for getting up so many petitions in favour of the Repeal of the Union, were not caused by terror. Perhaps the hon. member for Mayo, might be displeased to find that petitions from that county were intrusted to him. But it was not wonderful when the hon. Member's constituents, on such a question, differed from him, *toto cœlo*, that they preferred a stranger to bring their wishes before the House. It was an error to suppose, that the question of the Repeal of the Union was one raised by the member for Dublin. No, it was the question of the people; and when Mr. O'Connell was supposed to hesitate in bringing it forward, the national will propelled him. If to-morrow that hon. Gentleman wished to set the question at rest, his popularity would not last one hour. What did this prove? Why, that it was impressed on the hearts and understandings of the people, because they felt convinced it was the only measure which could administer a remedy to their wants. There were many of the people in Ireland old enough to recollect the condition of the country before the Union; and when they contrasted it with the present state of things, they found that the only benefit the Union did the country was to increase taxes, and establish despotism; so much so, that scarcely a single constitutional privilege was left the Irish. In England no prosecutions were entered into against those who got up the agitation of any public question; but in Ireland it was not so. Such a deprivation of privileges was enough to convince the people, that a Repeal of the Union was the essential measure for restoring constitutional rights, and, therefore, they would persevere until they obtained it.

There was no attraction in Ireland for men of capital and opulence to reside in it; it was all in England, and therefore Irish property was transferred here. In the county of Kilkenny the rental property was estimated at 400,000*l.* per annum, and 200,000*l.* of that was given to absentees.

Sir *Harry Verney* was sure that the people of Ireland, must know that the Repeal of the Union would greatly impoverish that country, by preventing the sale of the produce of the land. There was one class of persons in this country who suffered severely from the connexion of this country with Ireland—he meant the English farmers and landlords. If the produce of Ireland were not imported into this country, his own land would be worth a third more than it was at present. He, however, was content to suffer this diminution of his property, but he feared it would be an argument of the hon. member for Dublin to the farmers and people of England, that the importation of Irish produce materially affected their interests; and this he felt was an argument with which it would be difficult to deal.

Mr. *O'Dwyer* would merely protest against the strange accusation which the hon. member for Cork had made against the Chief Secretary for Ireland, that of being too courteous and conciliatory. He felt it his duty to say, and especially he felt it a duty, differing as he did most widely from the policy of the Government towards Ireland, to say, that the conduct of the right hon. Gentleman in his office, was such as to give satisfaction to all parties, as far as he could understand the public opinion in Ireland. The right hon. Gentleman had been, unfortunately for the Government, if not for himself, involved in one or two collisions with the people of the country; but these were legacies left him most injudiciously by his predecessors; and although the right hon. Gentleman should never have taken office subject to such an incumbrance, yet it might probably be judging him too severely to say, that he was to be considered entirely responsible for their acts. The hon. member for Mayo most egregiously deluded the Government and himself, when he stated, that the agitation of Repeal was founded on delusion. He would assert, in contradiction to the speech of the hon. Member, that the feeling in favour of a Repeal of the Union was nearly universal—that the whole democracy was in favour of it, and a large proportion of those of a higher rank. He could not understand the object of those who professed to be the friends of Government, in thus deluding them. With respect to what had been said by some hon. Members, that a British Legislature would effect all the good that could be expected from an Irish parliament, he would merely say, that he doubted much the correctness of that assertion; but he asked the noble Lord (Lord Althorp), how the progress of the question could be arrested? The noble Lord could not hesitate to reply that he hoped it could be effected by good Legislation, by equal and just laws, and by removing all abuses, and, in a word, treating Ireland as if it were part of the soil of England. Well, then, here was the *locus pœnitentiæ*—had the Government availed themselves of it? Where were the measures of relief?—where was the participation in British privileges? —where the identity of treatment which the word Union implied? Were they to be found in that gift of Pandora, the Coercion Bill? He could not promise for the successful result of the experiment, but he most sincerely wished that the noble Lord would make an essay, in justice towards Ireland, and if anything could arrest the progress of Repeal, that would. The hon. member for Mayo had said, that the petitions in favour of Repeal were influenced by terror; and he challenged the hon. Member to point to one instance in support of that statement. The hon. Member had made another assertion, that they were the work of priestcraft. He would take leave to tell the hon. Member, that he was not warranted in making that assertion, and he would venture to tell him, in addition, that it was not very becoming in a Gentleman who now at least represented a Catholic constituency, to use such language. He would only add, that there was not in Europe a country in which the influence of the priesthood—except that influence which was legitimate and just, and which for the good of society ought to exist—prevailed so little as in Ireland.

Mr. *Henry Grattan* said, that his Majesty's Ministers had called those persons who supported the Repeal of the Union, disloyal subjects; but such was not a true description, and the employment of such language could only gall every one without answering any good purpose. If it were meant that the old system of remedies should be pursued, he could tell the Government that it would not do. By the papers which arrived this very morning, it would be seen that the Tithe Bill had completely failed, and that the police and the military were now again called out to collect tithes. It was impossible that some parts of Ireland could be in a worse condition than they were; and they might expect all kinds of disorders unless the aristocracy returned to the country. There ought to be an Address to the Crown, praying for the return of the aristocracy, for Ireland could only be governed by an army, or the aristocracy. At no time could it be governed by abuse and vituperation. Some individuals might, and he believed, had erred in their conduct, but they were not to be corrected by ill language. The people of Ireland, he repeated, did not seek for separation. They sought for a Repeal of the Union, because they felt that it would be beneficial to their country. They might be wrong, but they were open to conviction.

Mr. *Pryme* agreed with the observations which had fallen from the hon. Member who had just sat down, relative to the expectations of the people not having been realised. When the present Administration had come into office, one great measure had absorbed all their attention, and as soon as that measure was passed, and that the Parliament had met, they found Ireland in a state of agitation from one end to the other, so that it was not safe for the resident gentry to reside there. Under these circumstances, what could they do, but press that coercive measure, for which, he must say, he was a reluctant voter. Many other hon. Members of that House, who had been originally averse to that measure, had been reluctantly converted to it from a consideration of the unfortunate position in which that country was placed. What Ireland required, in the first place, to insure her tranquillity, was a resident gentry; and, what was still more important, manufacturers, who would give employment to her labourers, and contribute to establish that retail trade which the hon. Member opposite had asserted was almost extinct. Were not the exports of that country many times greater than they were previous to the Union? and if the hon. and learned Member succeeded in getting the Union repealed, what would the consequences be? They would have a Legislature sitting in that House and in Dublin, and they would have the English people looking for protection from the Irish landed proprietors, and they would be continually imposing additional duties upon the butter, the cattle, the corn, and every thing exported from Ireland. That the Union had been accomplished by fraud, by violence, and by corruption, he was not disposed to deny. But the question now was, would it be expedient to repeal it? The Union with Scotland had also been effected by means that were not very creditable; but in Scotland they had had peace and industry since the passing of the Union; and was there a single Member of that House, or any rational man outside the House, who would say, that the Union with Scotland should be repealed? It would perhaps be exceedingly beneficial to two or three large towns if separate Legislatures were established. York might be benefited, and he would say the same of Norwich; and in fact they might revert to the Saxon Heptarchy; but it would be only in so much as the expenditure of the nobility and gentry would amount to. In his opinion the Repeal of the Union would be a most impolitic and unwise measure.

The Earl of *Ormelie* trusted that when the question was brought before the House it would be discussed calmly and satisfactorily. He would ask the hon. Member (Mr. O'Connor) how had these petitions been got up? Were they not procured by a system of intimidation? Had not associations been formed for the purpose of obtaining signatures?—was not the country agitated from one end to the other? He would merely ask the hon. Member to state under what circumstances these petitions had been got up.

Mr. *Feargus O'Connor* begged to assure the noble Lord, that he was not aware of any system of intimidation or terror further than this, that Catholic tenants had been ejected from their farms by Protestant landlords for attending Repeal meetings. He had never heard of any associations having been formed for such a purpose, nor did he believe that any such existed. One word, with regard to what had fallen from the hon. and learned member for Drogheda, who had taken upon himself the office of apologist for the right hon. Secretary for Ireland. He wished the hon. and learned Gentleman had told them what the right hon. Secretary had actually done for that country. Ireland was so circumstanced, that let a Reformed Parliament give the wisest and best institutions that could be devised for the government of that country, the moment they were sent over, the furious aristocracy there would pervert and turn them to their own purposes, and according to the whim of a faction. The hon. Baronet behind him had reminded him (Mr. O'Connor) of the story of Rip Van Wrinkle, who had slept for forty years. He stated what the circumstances of Ireland were when he was last there; but if the hon. Baronet went now to Ireland he would find that he had been asleep for the last forty years, and that his reception would be a very different one. It had been alleged, that the exports of Ireland had increased; but it was because the consumption had been diminished, and it was no sign of the prosperity of a country that it exported all its food, while the people were starving at home. He should not have said so much but for the question put to him by the noble Lord; and he could assure the noble Lord, that he knew of no associations existing in Ireland for the purpose of making the people repealers.

Mr. *O'Connell* said, that he could not allow the observations of the noble Lord opposite, and those of the hon. Members on that side of the House, to pass without some remark. He could assure the noble Lord and those hon. Members, that the question of Repeal would be brought forward in a mode which would convince the House and this country of the necessity there was for its speedy discussion, and for its consequent success. In Ireland, the question was brought forward in a mode which must ensure its success. The whole people of Ireland, Protestant and Catholic, would in a short time be repealers—he might almost say are repealers. He would mention two instances of the rapid progress of the question in that part of Ireland, where it had, until very lately, but few advocates, and many and powerful opponents. In Armagh, where a candidate would not dare offer himself at the last election as a repealer, a meeting was lately held, and a petition for Repeal was adopted, signed by 1,500 persons, of whom 400 were Protestants. There was subsequently a dinner to commemorate the change of opinion on the subject in that county, and the question had now for advocates those who once were its firmest opponents. It was well known, that the Catholic Bishops of Ireland seldom interfered in politics, or took part in discussions irrelevant to their sacred calling. But upon this question he (Mr. O'Connell) had the recent opinion of a Bishop, who never before interfered in politics. He alluded to the present Bishop of Galway, who was many years parish priest in Athlone, and who was well acquainted with the opinions and feelings of the people of that country. This venerable Bishop now stated, that he was a repealer, in consequence of the King's speech, which he justly observed was as unconstitutional as it was uncalled for. The Bishop also stated, that it had the effect of making repealers of those who were formerly opposed to the question, or lukewarm upon it. Would the noble Lord deem this immaterial? He assured the noble Lord and the hon. Gentleman opposite, that they were mistaken in supposing that intimidation was resorted to to procure signatures to those petitions. [The Earl of *Ormelie:* Agitation.] There was a great deal of agitation upon the question he admitted; but that agitation showed the anxiety of the people. [The Earl of *Ormelie:* Associations.] The Coercion Bill had put an end to all Associations. There had been a Repeal Association, but it was suppressed by the Lord Lieutenant's proclamation, under the Coercion Bill. Indeed all existing Associations were put down by proclamation, except one—the Conservative Club; but he would do the Lord Lieutenant the justice to acknowledge, that the reason why that was not proclaimed was that its members had discontinued their sittings. The agitation of the Repeal question was attributed to one individual. It would be quite absurd for him to pretend that he did not know that he was the individual alluded to. But the agitation was at its height in Dublin, when he was in the mountains of Kerry, thinking of something else. The people of Ireland were quietly and soberly resolved upon the Repeal. If the noble Lord would canvass the whole population, he would not find one man in ten whose mind was not made up on the necessity of that measure; or, if he found one man in ten who was not quite so determined upon the subject, that man would still be not so much opposed to the measure as apprehensive of the struggle which he supposed necessary to effect it; and a very proper and prudent apprehension that was. But it was absurd to make this a Catholic question. There was not a man in Ireland who did not think that the Repeal would be a very good measure, if it could be procured without force; and for his part, he would say, with all the solemnity with which he could speak in that House, that if he thought either that the Repeal must be effected by force, or that, if effected, it would lead to a civil war, or separation from England, no man would be more opposed to it than he. The Coercion Bill had made more converts to Repeal than any agitation could make—and certainly he was bound to say, that he never saw the interests of any country so neglected, or any domination so shameful, as in the passing of that most unnecessary and unjustifiable measure. The King's speech had also contributed a good deal to the desire for Repeal. Every man must admit that the House of Commons was the place in which the question was to be finally discussed; and he wished that they should not have the discussion by instalments. It was hopeless, however, to prevent its being so discussed. For his part he could only say, that when he came to make his speech upon it, he would give the House credit for all the statements which he might have been induced to make in the meantime; and he hoped that they would come to the discussion with the good temper, sobriety of deliberation, and attention to facts, which the consideration of so important a subject would require. He hoped, that when the financial and commercial part of the question came to be considered, that neither side of the House would press the question to a division upon their mere statements; but that the House would send the matter to a Committee, to inquire into the subject fully and fairly. It was urged that, owing to the Union, Ireland had prospered much. The advocates of the Repeal of the Union say the contrary. It was admitted that the imports and exports of Ireland had increased. The question was this—were these imports and exports of a healthful character? The advocates of Repeal say, that the exports from Ireland, instead of being as they ought to be, beneficial to the country, are, in fact, only a means of benefiting the absentees connected with that country. It was also said, that the imports into Ireland had greatly increased since the Union; but if these imports, had the effect of destroying the manufactures of Ireland, then were these imports instead of being beneficial, greatly prejudicial to Ireland. If, for instance, the importation of blankets into Ireland, caused the destruction of no less than twenty-four blanket manufactories in the city of Dublin, could, he asked, an increasing importation of these articles into Ireland be a proof that Ireland was benefited by the importation? Again, with respect to sugar-refining, previous to the Union there were eleven sugar-refining houses in Dublin—now there was not one. In Cork there was seven or eight—at present there was not one. Could, then, he asked, the importation of refined sugar into Ireland, under such circumstances, be considered a benefit to Ireland? He had taken the liberty of addressing the House at greater length on this subject than he at first intended. He wished to press upon the House, that as the question of Repeal of the Union was not to be elevated by clamour on the one hand, so it was not to be put down by force or violence on the other. It was only by fair discussion, that the question was to be met. They must argue the matter calmly and dispassionately. This was the way in which he wished to argue the question; and it was only by doing so it could be fairly discussed. Before sitting down he would only add, as the conduct of the right hon. Secretary for Ireland had been alluded to, that no Secretary had yet been in office so long without drawing down upon himself popular odium; but he believed that not one word of censure of the right hon. Secretary had yet proceeded from the independent part of the press. Neutrality was certainly, in his mind, the most desirable quality in an Irish Secretary.

Lord *Althorp* could bear testimony to the courteous manners and kind feelings for which the right hon. Secretary for Ireland was peculiarly distinguished. He had known his right hon. friend for a long time, and part of that time intimately; and he could say, that it did not surprise him that the right hon. Gentleman had gained the popularity he had, for he knew of no person who was better calculated to attract and deserve it. He was very glad to find that the question of the Repeal of the Union was to be debated in a manner that became a question of such importance. That the Repeal of the Union would be injurious to the British empire at large, he was certain, but most so to Ireland; and it was with satisfaction he had heard from the hon. member for Dublin, that the tendency of this measure was to be submitted to a calm discussion. It appeared extraordinary to him how the connexion of an opulent and poor country could be injurious to the latter.

Mr. *O'Connell:* The leech swells with the blood it sucks.

Mr. *Shaw* did not wish to say one word against the gentlemanly conduct of the right hon. Secretary for Ireland, for he had always found him most courteous and obliging; but he could easily see why the popular Press had not opened upon him; those connected with that part of the Press believing that he was under the patronage and protection of the hon. member for Dublin. He would not say that he countenanced his views, but he did not oppose them with that spirit which might have been expected. He was sure that the right hon. Secretary countenanced no party, nor ever would; for himself, he would say, that he had always avoided being liable to be denominated a political partizan. It was true, that circumstances had occurred that caused him to take a part that would give colour for such an accusation; but he would appeal to any gentleman in Ireland or the House, whether he had ever been considered a violent party man? He was willing to give the right hon. Secretary for Ireland credit for being of no party, but he could not give him credit for much firmness. He did not believe that any Government had done so much as the present to forward the views, and give force to the measures, of the hon. member for Dublin. The decision of the House, in the case of Baron Smith, he believed, would spread dismay throughout Ireland, and fill the minds of the people of that country with disgust and amazement. For his own part, he believed that Baron Smith had never done more than adopt the course which he conscientiously believed, as a man, the circumstances of the country required; and he felt confident that every man, from the highest to the lowest, would lose all confidence in the Irish Government if the consequences of that decision were visited upon Baron Smith. If such a course were adopted, the people would think the Government acceded to the views of the hon. member for Dublin, the head of agitation—he did not mean the term offensively—the hon. and learned Member avowed he was an agitator, and he honoured him for that avowal; but the people, if what he had adverted to took place, would consider that infinite injury would be done to Ireland.

Mr. *Ruthven* bore testimony to the courtesy and good disposition of the right hon. Gentleman, the Secretary for Ireland. He believed that the right hon. Gentleman would be willing to do more than he did, were he not prevented by others. He must complain that the Government had lately refused the small sum of 300*l.*, to defray the expenses of a survey necessary towards commencing the formation of one of the finest artificial harbours in the empire. He thought such indisposition to assist in useful works most injurious to the Government. The present Lord Lieutenant and the present Secretary for Ireland, had made themselves acceptable enough as men, but as statesmen they were nothing; and he believed they would be nothing so long as they remained under the trammels of the present Government.

Mr. *Poulett Scrope* was persuaded that the people of Ireland were not anxious for the Repeal of the Union, but their miserable condition had brought them into that state of mind that they would be better for a change of any kind. He thought the opinion was growing very fast in the House, and gaining ground out of it, that until the measure alluded to by an hon. Gentleman opposite, namely, the performance of full and unlimited justice to Ireland, and affording the people full opportunity of earning their livelihood honestly —until some such measure was carried into effect—tranquillity could not be restored to Ireland. There were hundreds and thousands of individuals dependent for their very subsistence upon the caprice of a single landlord. An hon. Member had mentioned the other day an instance of a landlord who ejected at once more than 300 families, consisting of upwards of 1,000 individuals, from their homes, and from their only means of subsistence. No wonder, then, that such a people, so distracted and distressed, should be ready for the Repeal of the Union, or the dismemberment of the empire, or any other mad project which promised them relief. If, therefore, the Government wished to reduce the agitation, and to disarm the hon. member for Dublin of his most extraordinary, unprecedented, and dangerous power, let them give the people some relief, and take them out of the power of the landholders, and also take measures to secure them against that state of famine to which they were exposed. It was not necessary for him to say much on the question of Repeal, as it was doubtful whether it would obtain the least support in that House. He regretted, however, that Government did not contemplate the introduction of a system of Poor-laws for Ireland during the present Session. He regretted this on account of the Ministers as well as the people, because a strong suspicion existed that the Commission lately appointed was intended merely to give the " go by" to the question, or to delay it from time to time, and from Session to Session, until some event should arise to prevent its further procrastination. It was stifled last Session by a promise, and six or seven months elapsed before the commission was appointed; since then another half-year had expired. The House had been informed by the Government that they did not expect the Report of the Commissioners to be made during the present Session. He confidently hoped the Government would determine to bring forward some measure of the kind alluded to, as he was sure it would give satisfaction to the English population, who felt the rivalry of the Irish labourers; and it would also be the means of restoring tranquillity, and with tranquillity prosperity to Ireland.

Lord *Althorp* assured the hon. Gentleman, that the Commission was not issued with the slightest intention on the part of the Government to give the question the " go by." He confessed that during a former discussion he said, that he was, indeed, very far from having made up his mind on the subject. The information possessed by Government, and that possessed by the hon. Member himself, fell very far short of being sufficient to establish the fact, that Poor-laws would be beneficial to Ireland. It would not be prudent for any Government to make such a change without full inquiry and the completest information that could be obtained. It was from want of that information that Government thought they would be unable to introduce the question this Session.

The Petition to lie on the Table.

Libel Law.] Mr. *O'Connell* said, it was his anxious desire to trespass as briefly as possible upon the attention of the House in the discharge of the duty he had taken upon himself; and the importance of the subject would be his excuse for at all occupying the public time. As he thought the Libel-law was at present in a very unsatisfactory state, he could not foresee any very serious objection to giving him leave to bring in a bill for its amendment. How far the provisions of the Bill, which it was his intention to suggest, would meet the evils which were admitted to exist, was another and a different consideration, and should not in anywise be mixed up with the plain question before the House, which simply was, " Did the Libel-law require Amendment?" To the member for St. Alban's, he should apologise for, in some measure, having taken the subject out of his hands; and he should not have presumed to have done so, were it not that he had one advantage from practical knowledge. His professional experience had given him facilities of acquiring information upon the subject which no lay Gentleman, if he might so speak, could possibly possess. The basis of his plan, was to secure freedom of discussion—to give increased facilities to free and independent discussion. The object of the Libel-law, was the protection of character; his object was different. He was anxious to give increased power to the tribunal of public opinion, which had been sacrificed in a too great anxiety, though he did not condemn that, for the preservation of character. He did not mean to underrate the importance of affording efficient protection to character; but even that was secondary to the establishment of a tribunal found to be the most effectual in checking the progress of public and of private delinquency. He knew of no control over vice so great as public opinion; and it was, therefore, his wish to strike down those points of the Libel-law which interfered with its exercise—carefully retaining, however, such portions of it as, without chaining down discussion, would be found effectual for the protection of character. If he could succeed in preserving both advantages—if he could give additional facilities for the dissemination of public opinion—and he might add, too, of public morality, through the powerful medium of the Press; and, if he could, at the same time, give to every injured man a sufficient remedy for any wrong he might sustain, and to all men a sufficient protection for their character, he should have accomplished that which he most ardently desired, and have rendered a great, and he trusted, a permanent good to all classes of the people. Such was his object. Without entering into the detail of the complaints so frequently and so justly made against the Libel-law, he should refer to the most obvious of the anomalies by which it was disgraced. The first, and perhaps the most glaring, that struck the attention was that, while falsehood was not punishable, truth, no matter whether religious, moral, or political, was held to be a crime. He had said, that falsehood was not punishable by the law of Libel. There was the falsehood of flattery, which was not punishable. A writer was at liberty to flatter the worst of men, or the worst of Governments. He might go almost the length of deifying the greatest miscreant that ever lived, and no indictment was ever brought against him. Yet surely, in its effect upon the morality of a nation, it was no less criminal to extol vice than to calumniate virtue. Another anomaly was, that truth was a libel, and some Judges had even gone the length of holding that the greater the truth, the greater the libel; and he should admit, that according to the present state of the Libel-law, they were justified. The excuse was, that the libel was calculated to tend to a breach of the peace, and certainly no libel was more likely to do so than a publication which carried with it the sting of truth, and the consciousness of being deserved. But that was merely a legal fiction, and an abuse, and nothing could demonstrate its absurdity more clearly than the fact that, if a breach of the peace did actually take place, the guilty party was, perhaps, imprisoned for a fortnight, a month, or six weeks, and, it might be, fined 10*l*. But if found guilty of a libel, down came the Judges, and, for an offence which could only be regarded as accessorial, six months' imprisonment was regarded as light punishment; and it often happened that a man was imprisoned for so long a time as two years for merely provoking a breach of the peace, while, had he absolutely committed it, he should have been merely imprisoned for six weeks or two months. But that was merely a pretext. He would put another case to the House; if a man made a speech or published a document, and was charged with having spoken or written a libel, he had many defences. He might show that it was his duty to have so written or spoken. He might show that he was—suppose a Judge—and that he had written or spoken in the discharge of his official duty. He might show, that he was a Commissioner appointed by Government, and that the proper discharge of his functions required him to write or speak the imputed libel. He might urge in his defence that he was a lawyer, or that the alleged libel was a true account of what took place in a Court of Justice. Any of these circumstances might be urged in justification of the libel; and the only thing he was precluded from urging in his defence, was the truth of the statement. Under the existing Libel-law, the indictment charged the accused with improper intention. Surely, there could be no better criterion of the intention with which anything was said than its falsehood. If it were false, and the party publishing knew it to be so, that would furnish the Judge with the best possible criterion of his guilt; but if, upon the other hand, the statement were true, its publication could not be regarded as evidence of evil intention. But there was another matter which had already struck the public, which exhibited in a very strong light the absurdity of the Libel-law. A man perfectly innocent of the publishing or the printing of a libel, might yet be punished for it. The present Libel-law had no definition—no description; and anything which reflected upon the Government, any thing calculated to hurt individual feeling, was construed to be a libel. Under these circumstances, if a man wished to speak of the Government, he could only praise it; for any thing in its disparagement might be construed to be a libel. Lord Redesdale having been called "a stout-built special pleader," it was held to be a libel; and Lord Hardwicke having been called "a sheep-feeder, from Cambridge," that, too, was held to be a libel; and he would pledge himself, that he never yet read a Newspaper which did not contain something which, under the existing law of libel, could not be construed into a libel. If it were a Ministerial Paper, it libelled the people; and if what was called a "popular" Paper, it libelled the Ministry; and if a neutral Paper, the chances were it libelled both. If a man sold a Newspaper which contained a libel, he could be prosecuted and convicted. So that every Newspaper-vender in the British dominions was liable to be prosecuted for selling a Paper which might happen to contain a libel. Indeed it was lately very gravely held, that it was the duty of every newsvender to take care that he did not sell a paper containing a libel; so that it became necessary for him to read every newspaper in his possession, and to take a legal opinion upon their contents. He should, in fact, be a lawyer as well as a news-vender. But there was another point of view in which the present Libel-law affected gentlemen more nearly. It was not necessary to receive money for reading a paper to constitute the publishing of a libel. If one gentleman handed a newspaper to another in a club-house, and it contained a libel, he would defy any lawyer to prove that, under the existing law, he could not be indicted for a libel. And, indeed, if some half dozen of the members at Brookes's, or the Conservative Club, were indicted and found guilty, it would probably have the effect of producing the desired change in the Libel-law. Such being the state of the Libel-law—being incapable of definition or description—depending, in fact, for its construction upon the discretion of the Judges—embracing every thing which might be construed as disparaging to the Government, or hurtful to the feelings of individuals—excluding from the defence of the accused the truth of the allegation—it surely would not be said that leave should not be given to bring in a bill for its amendment. In fact, so bad was the law, that the odium which attached to any person seeking protection from it prevented its intentions from being carried into effect. Public opinion was always directed against any person applying to the Libel-law for relief; and, without intending any disparagement to the noble individual to whom he was about to allude, he might illustrate his position by a reference to the case of Lord Durham. He was accused, and it appeared most unjustly, of very tyrannical conduct. He appealed to the Libel-law for redress; an outcry was immediately raised against him. Now, what was the use of a law of libel, if it were insufficient to meet a case of that kind? A man was assailed in his private capacity, and accused of tyrannical conduct by the party who were opposed to him in politics; but yet, so odious was the Libel-law, that he could not, by appealing to it, obtain redress. The noble Lord was forced—and he was glad that the noble Lord had been forced—to abandon his prosecutions; and, so long as the law remained in its present condition, no man could have recourse to it without soiling himself with the filth with which it was surrounded. The law, therefore, it was clear, required amendment. In its present condition, no man with a good character would think of availing himself of its protection. For his own part, he never yet knew a man who instituted a prosecution for libel, who did not come out of it a great deal worse; who, in fact, was not a great deal more libelled, before he was done, than he might originally have been. One case he was himself cognizant of, in which the prosecutor got 500*l.* damages; but, so blackened was his character in the course of the trial, that he was obliged to leave the country. At present, the law gave no remedy—no redress. Counsel for the defendant, in an action, had no right to urge the truth as a justification of the alleged libel; but then he had a right to deplore the existing state of the law. He might say, "Oh, Gentlemen of the Jury, I wish the law permitted me to prove for you the truth of this libel! If the plaintiff would but consent that I should examine witnesses to prove the truth of every allegation my client has made!" Thus it was that counsel might insinuate even much more than was contained in the libel; and the wrong sustained by the party might be greatly exaggerated by the very law to which he had appealed for redress. These were the anomalies from which he wished to vindicate the law. If asked upon what statute a party was prohibited from urging its truth in defence of an alleged libel, he could only say he knew of none. If asked for a rule of common law, he knew of none; for, certainly, a printed libel could not have been contemplated by any rule of common law. If he were asked, where was the Statute prohibiting the truth from being told in writing, his answer would certainly be, that there was no such Statute. Publication by printing was, of course, unknown to the common law; but, as a lawyer, he might refer to two Statutes; the first was the Statute of Westminster, 3rd Edward 1st; and the second, the Statute *De Scandalo Magnatum*, passed in 2nd Richard 2nd. The one was passed against the "bearers of false news and tales;" and the other against "the bearers of false news, and the utterers of horrible lies." The titles of these Acts showed the value that was then set upon truth, though truth, it seemed, was now of no value. What did the Judges do at a subsequent period regarding those Statutes? They met and solemnly determined that he who was to be punished for telling false news and horrible lies, was equally liable to punishment for telling the truth. This was, in fact, the Legislation of Judges—not expounding Statutes, but contradicting them. Then, as to cases in which actions were brought for damages—as that of a newsvender, or a Paper which copied the articles supposed to be libellous—he would observe that, in Ireland, if any man got one farthing damages, he got his costs; whereas, in England, it was not so, the Judges having a control under these circumstances. In alluding to this, he would refer to the late case of the *True Sun* and Mr. Hunt, where the parties were punished, by costs, to the amount of 80*l.*; so that, as the law stood now, it was at the utmost peril that men published any newspapers; they knowing that 80 or 100 actions might be brought against them, where, though the plaintiff, in each case, might secure, perhaps, five shillings, the attorney pocketed 80*l.* There was one branch of the Libel-law which he would not touch upon—he meant that which applied to libels against Christianity. He did not wish to meddle with this part of the subject, because he did not wish to cause any opposition in the House, which might endanger the introduction of his Bill, as he thought it would be amply useful in its present form, and that he should do well in not involving himself with the House by allowing the law, in this case, to remain as it was. He thought that there ought not to be any punishment for libel against Christianity; such, however, was his private opinion; but the feeling upon which he acted, on the present occasion, was deference to the House. But he thought that, when a country was divided in opinion on these grave subjects, they were those in which, above all others, it was legitimate to impugn some of the doctrines held by others, and which, in his persuasion, were of great importance to him, as a Roman Catholic, for instance, who did not dispute the doctrine of the Holy Trinity. He really thought that there was no reason to make this a subject of penal restriction; but he did not touch this part of the law. He must protest, however, in saying thus much, against its being supposed that he did not object to the law on that subject, as it at present stood. He would confine himself, on the present occasion, to prosecutions and actions; and begged, in the first place, to call the attention of the House, to the difference between the law of libel and the law of slander. Libel, in the law, was written calumny—slander, in the law, was oral calumny. Calumny being the essence of both, it would have been thought that there ought to be no difference in principle. But there was a material difference—the law of slander was limited within reasonable bounds. No man could bring an action for slander, unless it imputed some crime—impeached him in his trade or business—charged him with having an infectious disorder, or had been followed by some special injury. In all these cases the legal description was sufficient for all practical purposes; but it was not so with written slander—it was confined by no bounds, and had broken through all limits; "everything," in the words of Lord Ellenborough, "that hurts a man's feelings is a libel, and may be made matter of action or of prosecution." Was it not an absurdity, that the same grievance should have a different species of remedy? It had been proposed, by that Judge, to bring up the law of slander to the standard of the law of libel. He had great respect for the individual who made this suggestion, but, with all becoming deference, he must say that he was exceedingly mistaken. The true way was to cut down the law of libel to the standard of the law of slander—thus, in all private cases, there would be fixed rules and boundaries of offences. Trespassing on the patience of the House for a few minutes longer, he would advert to the possible consequences of a change. Prosecutions were either public or private— at present anything tending to disparage Government, or, in the words of the law, reflecting on Government, was liable to prosecution. He meant to put an end to that, and to endeavour to find sufficient legal grounds to define what should or should not be a libel. He would state what he proposed to substitute. He took the law of principal and accessory. At present, if one man counselled another to commit a crime, the accessory could not be punished unless the crime had been committed. At common law, the accessory could not be convicted until the principal had been convicted; but that rule had been altered by statute. At present, no man could be punished as accessory, unless the crime he had advised had been committed. He thought that a limitation which ought to be excluded from the law of libel, because if a man were an accessory, the law ought not to wait for the commission of the crime. He proposed to make anything accessorial equally criminal, whether the crime were or were not committed. This would be done by striking out from the indictment the averment that the crime had been committed. By acting on this principle, he should be able to bring every offence of the Press within known categories of the law. In High Treason there were no accessories; in misdemeanour there were no accessories; and he thought this principle should be extended, and that the same rule should hold in the publication of matter proceeding merely to misdemeanour. The liberty of the Press could never be secured until that step had been taken. He then came to private libels; and here he would have nothing actionable that was not at present actionable as oral slander. Thus he would limit all private prosecutions to the bounds of oral slander. His next step would be to do away with *ex-officio* and other informations. Prosecutions for libel ought to be, like other offences, submitted first to a Grand Jury, and proceed by indictment. The Court of King's Bench would not grant a criminal information to any man who did not purge himself by denying the truth of the charge in the libel. This was one of the strange anomalies to which lawyers sometimes became reconciled by habit; for though the truth was no answer to a libel, the Court of King's Bench would not allow a man to prosecute in a particular form, without denying that the libel was true. When the criminal information was granted, the case came to be tried by the Court in the first instance. How? Upon affidavits—in the absence of the witnesses—without the means, therefore, of cross-examination, and without the power of sifting a single phrase or expression. When once the Court granted the information, it might, in fact, as well proceed to the sentence at once. Next he meant to take from Counsel for the Crown the right of reply in all cases in which the defendant adduced no evidence. He would allow of no second speeches for the Crown, except in such a case, and even then he would give to the defendant the right of having the last word in the proceedings. With regard to prosecutions before Special Juries, he thought Special Juries in the highest degree objectionable, and that the practice of bringing actions before them ought to be done away with. The evils of that mode of procedure, were strikingly illustrated in the case of Mr. Cohen, the editor and proprietor of *The Brighton Guardian.* With the circumstances of that case the House was well acquainted. Mr. Cohen was now suffering six months' imprisonment, and was, besides, subjected to a fine of 50*l.*, for an offence of which he had been found guilty by a Special Jury. He did not believe that any man could suppose that Mr. Cohen had any ill intention in publishing the article for which he was suffering imprisonment. He was indicted for the offence at the Sessions, composed of the very Magistrates who were angry at his general political writings, and supposed themselves referred to in the article complained of. He was charged, in the indictment, with an intention to excite the lower orders to the incendiarism which had existed in that neighbourhood. The Special Jury before whom he was tried, and who had been, in the first instance, Judges, as Grand Jurors, as well as Special Jurors, convicted him of the offence. But what did the Judge think and say on the occasion? When the defendant was brought up for judgment, he told him he had been convicted by the Jury, but that he did not think Mr. Cohen had been actuated by any evil intention in the publication complained of; and, therefore, the Judge only sentenced him to six months' imprisonment and to pay a fine of 50*l.* Though he adverted to the evils of Special Juries, he did not wish to see them abolished altogether. What he wished was, that there should be this distinction made between the prosecutor and defendant—that while the latter should have the right to be tried by a Special Jury whenever he chose, the prosecutor should have no such right without the concurrence of the defendant. This arrangement would constitute a safeguard to the Press, for which he had a high respect, and which he wished to see protected and afforded full liberty of discussion. The course he suggested would not, in any respect, interfere with the right of an aggrieved party to bring his action. He could do so by indictment, though not by criminal information. He would do away all *ex-officio* informations, though it might then be said, that libels might be published so rapidly, that the Attorney-General could not proceed fast enough against the offending parties. There would be no ground for this apprehension; and if there were, he knew of nothing that would excuse criminal informations. These were the principal features of the plan which he had to propose for the reformation of the law of libel; adding to it, that the truth of the allegation ought to be admitted as a defence. He knew there were many who would be adverse to this part of his plan. It might be objected, that if a man had, in early life, been guilty of improper conduct, but had since repented of that conduct, and acted in the most praiseworthy and exemplary manner for a long course of subsequent years, it would be hard indeed if the editor of a publication, or any other person, should be suffered, with impunity, to bring that one improper action before the public for the purpose of gratifying his own private spleen, or from any other unworthy motive. He admitted that such a case would be a very hard one indeed; but he conceived that, so far from the defendant commending himself to the Jury in the supposed circumstances, or bettering his condition, it would operate very much against him to urge the truth of such a statement in extenuation of making it. He wished the House to understand, that he did not mean that the truth of an offensive article ought, at all times, to be regarded as a justification for the publication: he only wished that the defendant should have the right of proving his allegations in his own defence; and he thought that, in ninety-nine cases out of a hundred, a Jury would find that the proof of the charge ought to be a justification of the defendant, and entitle him to a verdict of acquittal. He now came to the question of speculative actions. He thanked the House for the patience with which they had listened to him during the time he had trespassed on their attention, and would not now detain them much longer. Without intending to interfere with the principle of the present law relative to the costs of libels, he wished to introduce a law which would have the effect of putting an end to the practice of bringing speculative actions against publishers. The clause he meant to introduce was, that in those cases in which the prosecutor did not recover more than 40*s*. damages, he should obtain no costs, but should, on the contrary, be made to pay the costs. If a man's character were estimated at 20*l*. or where 20*l*. damages were obtained, the plaintiff should receive no costs, nor be made to pay costs, but each party should pay his own expenses. If the plaintiff recovered 50*l*. damages, then he should receive the same amount in costs; but if above 50*l*. damages, then he should obtain all costs against the party responsible for the libel. These were the principal alterations he proposed to make in the existing law of libel. There were other minute things which he had not then mentioned, which might occur to him before drawing up the proposed Bill. He again thanked the House for the indulgence it had extended to him during the time he had occupied its attention. He begged to conclude by moving for leave to bring in his Bill relative to the law of libel.

Sir *Francis Vincent* rejoiced most sincerely to find that this matter had been taken up by such an able advocate as the hon. and learned member for Dublin. In many of the arguments which had been urged by the hon. and learned Member, he perfectly concurred, but he would not say much on the present occasion, as another opportunity would occur for him to state his sentiments. He was glad that the subject of proceeding by information was to be altered, and the very instance of the indictment of the editor of the *Brighton Guardian* had confirmed any doubts he might previously have entertained upon the question. In Westminster, he believed in three cases out of four, no prosecution followed upon the first proceeding. In the general principle of the Bill proposed to be introduced by the hon. and learned Gentleman, he fully concurred; but at the same time he begged to reserve to himself the right of suggesting those alterations which he might think were desirable to be made.

Mr. *Jervis* had intended to move, as an Amendment to Mr. O'Connell's Motion, "That a Select Committee be appointed to Inquire into the existing Law of Libel, and to Report to the House what Alterations ought to be adopted." But after hearing the hon. and learned Member's speech, he did not mean to persevere in that intention.

Lord *Althorp* thought, it would be desirable to bring in a Bill to amend the law of libel, and therefore he would not oppose the Motion of the hon. and learned member for Dublin, though he hoped he should not be understood as acceding to the details, because he was disposed to go to a certain extent with the hon. and learned Gentleman; but he thought that the hon. and learned Gentleman's plan went farther than he should be disposed to go. The hon. and learned Gentleman had divided the question into two parts—namely, criminal prosecutions, and those by civil actions. In the first instance he thought the hon. and learned Gentleman, as far as he could understand him, went to this length, that truth might be pleaded and proved in cases of criminal prosecution. In cases of private libels, this system would operate most injuriously. With regard to cases of criminal information. though he, with the feelings which he entertained as to Grand Juries, would prefer a Bill being found by them to *ex-officio* informations, still as the question affected criminal informations, he entertained some doubts. He would not, however, enter into the details of the measure, reserving to himself the right to make such objections as might arise in his mind to the Bill when it was brought in.

Mr. *Fleetwood* wished to know whether it was the intention of the hon. and learned member for Dublin to include in his Bill the right of bringing civil actions against more than one party for the same libel?

Mr. *O'Connell* said, it was not his intention to limit the right of action to any given number of actions; but he thought, that the regulations which he had suggested, in respect to costs, would check the evil to which the hon. Gentleman alluded.

Mr. *Fleetwood* said, if the House would allow him, he would allude shortly to some of the details of the Bill proposed [" *oh, oh.*"] He would then only express his wish, and hope, that the hon. and learned Gentleman would introduce into his Bill some mode of registering the real, the *bona fide* proprietors of newspapers, pamphlets, &c., who should be made amenable for the consequences of libel. This was a point of great importance, and he wished to call the attention of the House to this, though there were many others upon which he was desirous of addressing the House; but, as it was usual to bring in a Bill at once without discussing it in detail, he would retain his observations for a better opportunity.

Leave was given to bring the Bill.

PENSION LIST.] Mr. *D. W. Harvey:** Sir, it now becomes my duty to redeem a notice of Motion which I gave at the close of last Session, and which I seized an early day in the present to renew upon your notice book, having for its object the appointment of a Select Committee to inquire into the consideration for which each pension has been granted, as the same appears in the List returned to this House and printed in August last. Taking into consideration the importance of the subject, and the great interest it excites in the public mind, I feel that there can be little occasion for an appeal on my part to the kindness and indulgence of the House. It is very true, that in a former Parliament, I should have viewed the unusual array of Members whom I now see before me, with feelings of no inconsiderable apprehension; I should have suspected that many of the large body of those whom I have now the honour to address, had been invited hither by the intimation of a Treasury note, to the effect, that a formidable and appalling Motion was to be submitted to their consideration, and urgently imploring an early attendance. But, Sir, in a Reformed Parliament, I feel assured there can have been no justification for inviting the Representatives of the people to oppose and falsify their solemn engagements; for I would appeal to every gentleman who hears me, who calls to mind the solemn compact into which he has entered with his constituents, renewing, as he has, that compact, by his recent intercourse with them, as he has traversed the counties and visited the cities and boroughs of this country,—and I would call upon him to tell me whether there be one subject of domestic interest to be compared with the Pension-list. Sir, if I were called upon at this moment to say what was the question which, more than another, hurled the late Government from their position, and placed the present

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* From the Essex and Herts Mercury, by authority.

Administration in their stead, I should say, that it was the hostility of the one to, and the avowed declarations of the other in favour of, an inquiry into these pensions. I am now addressing several hon. Members who were present upon the memorable division of November, 1830, when the former Chancellor of the Exchequer brought forward the Civil-list consequent upon the accession of his present Majesty to the throne. Upon that occasion, it was proposed that the Pension-list, to which I intend studiously to restrict my Motion and my observations, should be limited to 144,000*l*. Upon that occasion, the right hon. Member, now member for Dundee (Sir Henry Parnell), moved, as an Amendment, and enforced that Amendment by various cogent, and, as the result proved, successful arguments, that that proposed List should be referred to and closely scrutinized by a Select Committee. That Amendment was resisted, but yet it was triumphant. The then Government was overthrown, and it introduced Reform and the Reformers of the present day; and this is the first occasion on which it can be fairly said that the question of the Pension-list has been impartially and coolly submitted to the deliberation of a Reformed House, pledged especially to the abolition of unmerited pensions. It is because this is the case, that I have been anxious to invite the attention of the House to it thus early, because experience tells me that every day gives strength to injustice, confirms irregular practices, and strengthens the plea by which they are maintained. It is very true that this question was partially agitated at various stages, previous and subsequent to the settlement of that great measure to which I have referred. Previous to the passing of the Reform Bill, every man's mind in and out of this House, was so entirely absorbed with its intensity, that even the matter under our present consideration appeared a point of minor importance; yet, Sir, it was not lost sight of; those who were anxious to maintain their consistency, and who threw out insinuations of their determination at some future period to scrutinize the List, were admonished not to be too tenacious of their object at that period, lest it might interpose an obstacle by which Reform itself might be endangered, if not defeated. But, Sir, we have happily triumphed in that measure; the people more than this House, aye, more than the Government, yes, even more than our constitutional Monarch, have secured that splendid victory; and it has been one of their first and earnest expectations to reap the benefits of it; there is no subject towards which their attention is directed with such just anxiety, or in which so much of chastened indignation is mixed with firm resolution. Under such circumstances, I own it has been to me matter of equal surprise and regret, to hear that this Motion is to be opposed. I make this observation thus early in the Debate, that no Member who hears me, and who is anxious to escape from the Motion in consequence of the length and dryness of its details, may find an apology for his absence, in the expectation that it is to be granted. No, Sir, every man who feels that he is pledged to his country to establish economy—every man who does not shrink from his engagements to redeem those pledges—every man who is not prepared to say that promises are mere delusions, which he looks to redeem by the security which the long period of seven years unhappily affords—must not flinch from his post, but be present and do his duty on this occasion. I fain could wish, not only in this, but on similar Motions, that a course were pursued in our discussions which I cannot help thinking as calculated to save the time of the House. When a notice of Motion has been given on a subject of great importance, I think it would be well if those who were opposed to it were to commence with the ground of their opposition. I am speaking in the presence of lawyers, who will tell you that it is ofttimes a struggle in court which gentleman shall first begin. It would be well for those whose title is impeached, to stand forth and defend it; it would be well if a Reformed Government stood forward to show on what grounds the persons whose names are contained in this Pension-list claim as of right to subsist on the industry of the country; it would be better for those who have marshalled themselves on this occasion in dread array to defeat this Motion, if they were now to come forward and become at once its honest advocates. I know well the weight of that ingenuity, of the sinister dexterity, I have to encounter. It would be far better for me to say at once, "I move that this Resolution be carried;" yet, if I did so, we should be told that it was a marvellous thing for a Member sitting on the Opposition bench to be silent. His Majesty's Ministers would say, "When an adherent on our side of the House refrains from speaking, the object and his motives are obvious, but for an opponent—one arrayed against the Government—to be silent, is indeed a miracle; yet it is not to be doubted that such a course would have its advantages, because, while I have no apprehension of the defeat of this Motion on its merits, yet I dread a contest with that force which is opposed to me, prepared as it is to seize any accidental suggestion by which the real merits of the question may be evaded. If, for instance, I were to analyze this Pension-list, and to speak of any one individual upon it in terms even of measured kindness, all the fashion and feeling marshalled before me would at once be up in arms. What a pity it is that every hon. Gentleman opposite has not come down to the House on this occasion, habited like the mover and seconder of the Address, in a court suit! With what capital effect would some hon. Gentlemen be able to rise and say, "I came down to the House somewhat inclined to think that the opinions of the people were of little worth, and that a shorter than a septennial Parliament might bring me into contact with my constituents, and, therefore, I was prepared, under some slight modification, to entertain the Motion; but when I heard the hon. member for Colchester single out lady A. or lady B., and speak of them in such ungenerous, uncourteous, violent, and democratic language, I became indignant, and at once resolved, at all hazards, to defend this List and to resent the rashness and violence of those who dared to breathe a whisper against the character or pretensions of those who appear upon it. I shall not, therefore, touch the List upon the present occasion. It is too sacred and too delicate to be touched by unhallowed hands." For these reasons, the House would be pleased to have a Committee, for the purpose of showing that from the oldest dowager down to the youngest beauty, there is not one on the List who has not earned the pension by substantial public and honourable services. Sir, let it not be supposed that the laborious multitude of this country, although they may express themselves in uncouth language, although their hands may be stretched forth uncovered with silken gloves, and although they may not step with the ease and grace of the drawing-room, that, therefore, they grudge compensation to real merit. Do not suppose that if this Pension-list should contain names, be they few or many, nay, all whose claims are based on meritorious service, although that merit may have lost something of its lustre by the rust of time, and although those who could best speak to their title may now be no more—that, on that account, the rude blast of the public voice will drive such supplicants from your Committee. No, Sir, the people are too honest and kind-hearted; indeed, the real objection to vesting in Parliament an unlimited power to reward merit, is the just fear that the generosity of the people would out-strip their resources. This pleasing truth has been one argument against submitting each case to the candid consideration of the people—for I delight in the idea that, when speaking to the Reformed House of Commons, I am speaking to the Representatives of the people, and that all those who were used to come to this House through agencies unknown to that power are now gone, and that there is no one instrument in this House which is not under authority and influence, and bending responsibly to the moral energy of the nation. Why, then, should we dread the decision of the people? But it becomes necessary for me to state shortly to the House how this matter stands in a historical point of view. Prior to the date of what is generally known by the name of "Burke's Bill," the power of the Crown in granting pensions had no other limit than a sense of decency. How much was the fund of that decency is shown by the state of things at the time when that justly celebrated measure was brought forward. From that period various attempts were made, during the reign of George the 3rd, to bring the Pension-list under the cognizance of this House; for the advocates and admirers of high prerogative principles, previous to, and at the time of the discussion of Mr. Burke's Bill, maintained that the King's prerogative justified any grant that his country, nay, his caprice, might think fit to bestow. When it was found that the prerogative was restricted by that salutary measure to a sum of 95,000*l*., in regard to England; 50,000*l*. in regard to Scotland; and that a corresponding limit was afterwards arranged in regard to Ireland. When, I say, it was found that some bounds were put to the Royal extravagance, it was contended, that whatever Parliament had granted was placed at the disposal of the Crown, beyond the control and supervision of this House. Sir, in these feelings and sentiments, those who advocated them were perfectly consistent. But, at different periods, it was contended, by some of the oldest and most eloquent patriots of the country, that this list, thus restricted, was open to the inspection of the House; and on several occasions experiments were made, with various success, to establish the principle of constitutional control. Sometimes the attempt was made in the shape of a Motion for a return of the entire list; and the parties opposed to the grant contended, that those who asked it could not call for the whole list, because the power of the Crown to dispose of this money as seemed to it fit, was not to be disputed, except in instances of palpable perversion and criminal abuse; that all else was censurable curiosity, and must be resisted. This contest between the people and the Crown, was carried on with varied success, as patriotism rose in the thermometer of the public feeling. But, without troubling the House with a detail of what passed on those occasions, and was said by distinguished men, who were then in this, and some of whom are now in the other House, I will bring your attention down to the year 1830, when the doctrine of prerogative was still maintained, and struggled for; but it was overthrown, and its advocates paid the price of their consistency, by their extinction. Toryism was supplanted by the present Government; and then it was that the present Ministers were expected to redeem their pledge to the country,—that the entire Civil-list should be referred to a Committee of this House. This was affected to be done; and I have now before me the result of their labours, in a Report made to the House shortly after. Although, previous to the appointment of the Committee, it was powerfully urged by the right hon. member for Dundee, then representing the Queen's County, that the Pension-list ought to be subjected to the strictest scrutiny, yet, for reasons with which I, of course, cannot be acquainted, that Committee touched no item on that list, but came to a Resolution, recommending the following arrangement:—The Pension-list previously proposed was 144,000*l.*; they proposed that 75,000*l.* of that amount should be placed on the Civil-list, and the residue carried to the Consolidated-fund; and that they might not—impartiality in all things being a virtue with them—be accused, in making the division, of picking out all the decrepid and declining dowagers on the one side, and all that was cheering in infancy, and beauty, and joy, and hope, on the other, they divided all the names in the List alphabetically, from the letter A to the middle of the letter H, and planted them on the Civil-list; leaving the residue to the last letter, to be disposed of on the Consolidated-fund; the effect of which arrangement would be, so far as regarded those persons whose names appeared on the Consolidated-fund, when death had established stronger claims to them than the living, the chasm should not be filled up; and to that extent there would be a sluggish benefit to the Exchequer; but so far as concerned the 75,000*l.*, from A to H, they were to remain upon the Civil-list; so when any pensioner fell, his place should be filled by the will and command of the Crown. The future Pension-list, when death shall have purged the Consolidated-fund, would be limited to 75,000*l.* Now, Sir, as I disclaim most solemnly all influence of party motive, in bringing forward this question, so I must admit, that there was much liberality in this arrangement, inasmuch as while, previous to Burke's Bill, the Pension-list was without bounds, and subsequent to that Bill, and up to the demise of the Crown, it was very considerable, the prospective effect of the new alteration was to restrict the power of the Crown, in granting pensions, to the comparatively small sum of 75,000*l.* Although this arrangement was well understood by the House, as being part of the plan suggested by the Committee, yet it in no way met with the satisfaction of the House. It was justly impugned by every hon. Member who rightly looked to the objects of a Pension-list, and to the financial advantages that would result from economy in dealing with it. It was doing something, but not enough. I may here be allowed to notice the part which I took, because I am one of those fortunate individuals whose obscurity is their protection,—who may say a thing one day, and repeat it the next, without any apprehension of being reminded, that the same thing had been stated the day before; while, on the other hand, there are some men, so important and imposing, that what they say makes an impression on their auditors not to be effaced by the long lapse of twenty years,—at every stage of the Civil-list, and when the Reform Bill was uppermost with us all, I uniformly stated, that I reserved to myself the right of challenging the Pension-list whenever it should be directly brought under the consideration of the House. The noble Lord, the Chancellor of the Exchequer, cannot forget the statement which he made, after the recommendation of the Committee had been suggested. He then proposed, that there should be a partial and limited grant for the Pension-list, not exceeding three months. On that occasion, many hon. Members—I will not refer particularly to any one, because it would be invidious to omit any—suggested, that the matter ought to be considered; and, although at the same time disinclined to withhold their assent from the proposition for a partial grant, yet they protested against being committed to the principle to which it might be regarded as giving sanction. Then it was the noble Lord opposite said, with his usual candour,—a candour far more powerful than eloquence,—that no Member would be committed by that vote, nor deterred from its future consideration. Indeed, the observations of the noble Lord on that occasion are worthy of remark; and I will quote them as I find them in the *Mirror of Parliament*, for February 4, 1831. He there says,—"It is certainly true, and no man is more ready to admit it than I am, that many of the pensions on the List are such as ought never to have existed; but, on the best examination that I have been able to give them, it appears that a large majority of these pensions are purely pensions of charity; and, therefore, to take them away now, after they have been so long enjoyed, will be to inflict great distress on many individuals." Now, Sir, the point I seek to establish, and for which I contend, is this,—that this part of the Civil-list is as much open to the control and inspection of Parliament as it was in the year 1830, when the hon. member for Dundee challenged the proposal of the late Government, or as it was after the matter had come from the Committee to the House, not, indeed, as the result of investigation, but of no investigation at all. Then, Sir, what is the ground, if I may gather it from the rumours which float around us, on which it is proposed to resist this Motion? I feel that I ought long since to have ceased troubling the House, and rather have begun and ended with this question—"Are you prepared to stultify your own resolutions? But the resolutions of the House are so many and move on before our eyes with such unheeded rapidity, that we may be pardoned if we do not carry in our minds every vote; yet, on this subject, there can be no forgetfulness. It will be remembered, that, in the month of May last, I moved for a Return of each pension, stating the specific amount, the period of the grant, and the consideration of each grant. The noble Lord opposite then concurred in the Motion, with one restriction. He expressed himself perfectly willing and ready to give the Return, with the explanation required, so far as regarded that portion of the Pension-list which had been allotted to the Consolidated Fund, but said, that he had doubts as to the propriety of extending the order to that part which was placed on the Civil-list. However, feeling the force of the original obligation, and not being prepared to forfeit the bright character which he had earned by his consistent course of conduct, when speaking of this matter on this side of the House, confined his opposition to a mere suggestion, and the motion, as originally framed, was passed. It was true that the noble Lord, the Paymaster of the Forces, entered the House just on the eve of its decision, but, happily, not in time to interpose his successful resistance, as he contented himself with saying, that he should forbear his opposition, inasmuch as I had then made my reply; but if he had entered the House a little earlier, and before I had made my reply, there is little doubt I should not have been now in a condition to address this House, for I should have been so maimed and mangled as to have been glad to escape with signing a truce, the condition of which would be, that I should never dare again to touch the Pension-list. The question now before the House is, whether the House is prepared to abide by its own order, and whether, the first effort proving unsuccessful, it will not attempt another. I will say one word on that order. On the 22nd of May, 1833, in the first Session of the Reformed Parliament, it was ordered, "that an humble Address be presented to his Majesty, that he will be graciously pleased to give directions that there be laid before this House, a Return of all persons on the English, Irish, and Scotch Pension-list, heretofore paid out of the Civil-list and Consolidated Fund, specifying, with each name, the sum received by each individual, the period of the grant, the public grounds or other consideration, as far as practicable, on account of which they have been granted; distinguishing those who are widows or orphans of deceased public servants, and such as are in receipt of any salary, profits, pay, fees, and emoluments, from any public source." Such was the order. Has it been complied with? Can it be complied with? We are told that it cannot. I am much inclined to think that it cannot be complied with, and for this reason. An hon. Member, the Representative of Merthyr Tydvil, in the former Session—in the Unreformed Parliament—for I like to distinguish between the Reformed and the Unreformed Parliaments—that hon. Member, in the Unreformed Parliament, wished to obtain a Return of one specific grant, in respect to which, no one but himself could have any belief that it was not founded on valuable public services. It was due to his eager and undecaying patriotism, that his extreme scruples, in this matter, should be satisfied; and he had what some may call the tenacity, but I should say, the spirit and integrity of true patriotism, to ask for the consideration for which a lady of the name of Arbuthnot has a pension of 900*l.* a-year on this List. The Return was made, and what were the words of it? That it is granted to trustees, to be paid to the lady during her life, but to continue during "our pleasure." Now, I take for granted, that in each individual instance in which a return similar to this was asked for, it would be couched in the same words, or thus: "Whereas we are graciously pleased to grant to our well-beloved Dorothy, the clear annual sum of ——*l.*, to be continued during our pleasure." I do not inquire whether, in some instances, a softer appellation might not have been applied to them, yet, the term is during pleasure, and very rightly, for whoever gives pleasure, should be recompensed in the same feeling. When, therefore, I consider of this matter, I cannot help thinking that the noble Lord is, in his conduct, more deserving of applause for the sinister dexterity of his resistance than of praise for disinterested patriotism. There is a great bustle made about this List; there appears no objection to give us the names upon it, the dates of the grants, and their amounts, but the only really valuable object, the consideration, is withheld: we can only learn, that the pension is given to sundry affectionate creatures, "during our pleasure." That is the response to all our inquiries. The noble Lord seems to think that we shall run through the entire List, and be amused with this Return, and there ends the matter. In this he is mistaken. It is quite clear that there must be another inquiry. We must have a Committee of real upright patriots, who will call before them every person whose name appears on the List, to state the consideration for which the grant was made. Then one of two things will happen. All of them who have any real ground, any valuable consideration to assign, will be eager to rescue themselves from the opprobrium which the general and just feeling of the country attaches to this Pension-list, under the belief that there is not one honest grant in it, but that they are all the reward of political servility or drawing-room compliance. So far, indeed, Sir, from considering, as has been hinted, that the Motion which I am about to place in your hands is an ungallant one, calculated to plant thorns in the bosom of virtue, I say this, that if I were twenty-five years younger, and desired to win all sorts of praise from the fairest of the creation, I should make precisely this Motion; for it affords to those who in every respect are innocent of blame, a shield against the foul imputation which has indiscriminately gone forth against them, that they are luxuriating in lascivious indolence, rioting upon the industry of the country. The whole House would cry shame against such an imputation. When I see on the List a number of distinguished names—upwards of 200 persons actually bearing titles, and whose manifold appellations show that they are intimately connected with other titled personages, I am quite satisfied that such an imputation cannot be suggested in this House without arousing a spirit of chivalrous rivalry, who, among our romantic nobility shall step forward and avenge their proud and fair associates from the imputation of revelling and rioting upon the labours of the country, without rendering a valuable and ample equivalent. Let us, then, concur in the Motion and thus redeem them from this ungenerous imputation. I believe that while many persons would be rushing forward with trophies or emblems of reward in their hands, and thus at once not only silencing suspicion, but receiving the amplest meed of praise, there are some who would retire from the contest, and who when asked to produce their titles, would beg leave to tender their grateful acknowledgments for having been so long the unmolested recipients of the nation's bounty—perhaps for some half century; and with all possible thanks for the supineness of the people and the protection of the parliament, resign all further claims for grants without merit, and services not without suspicion. Thus we should protect retiring honour, and chastise criminal imposition. The Motion I now make is in furtherance of that system, by acting on which his Majesty's Ministers have derived their claims to the public countenance as the friends of economy; and I am sure that they will hail every similar suggestion with a favourable feeling, and regard all who make them as friendly to themselves. What more need be said in support of this Motion? In May, 1833, they offered that to be done which it appears now cannot be done in the way then suggested. I propose, therefore, that a Committee should be appointed, to whom these grants should be referred, for the purpose of ascertaining what consideration has been given for them. I am aware that it will probably be contended by some gentlemen, that whether we restrict the Pension-list to a small or a large amount, whether it be prudent or otherwise to grant any stated sum to be disposed of as the Crown shall seem fit; it is ungenerous, and cannot be tolerated, that in a British Parliament, whose feelings are liberal and affectionate towards the Monarch, who so nobly and consistently co-operated with the darling wish of his people, that we should investigate, or even suspect the grounds on which specific grants have been made. Against that doctrine I decidedly protest; but it is not sufficient for one individual so to do. Some, indeed, of the most distinguished men in the present Government, as well as some of the greatest among their predecessors, have always discountenanced that opinion; they have always given this construction to the Pension-list—that it is an uncontrolled disposition of a limited grant. But there are those who have contended otherwise, who say that it is a sum of money entrusted to the Crown, to be appropriated to public and useful purposes, of which merit and service must be the sole basis—the Crown standing in this case as the trustee for the people. If it were otherwise, why is there any control at all, as was well said by the noble Lord opposite before he entered his present situation. If we are not to look on the List, why have it at all? If we are not to deal with it, why have it? The List is now as foul or as fair as it ever was. It has never been looked into. It never could be, because there have been other matters of paramount importance to absorb the attention of the House—still its investigation has ever been uppermost on our mind—we have held it in reserve to bring forward on the first suitable occasion. Will it be now said, as it was said by the noble Lord on a former occasion, that he will grant the Motion as restricted to that portion of pensions which is placed in the Consolidated Fund? But even that concession will be made to depend upon circumstances. If he finds the Ministerial affection more than usually rampant, it is very possible that he will not grant so much; but if he finds one member after another, representing counties and large towns, rise, and say, "that however he may be disposed to act with you generally, yet that, having during the recess visited our counties and cities; having gone into our market rooms and partaken of the humble fare, for none other than humble fare is now to be found there; calling to mind what he there heard and saw,—he is so fully convinced of the deep feeling among all classes, and when speaking of all classes he meant not the vulgar unreading democracy, but the thinking and intelligent middle classes,—that every practicable economy should be enforced, and therefore he dare not, cannot vote against this Motion." Then, when that is found to be the case, four or five Gentlemen of the Cabinet will put their heads together, and say, "This is very unpleasant—truly awkward—but we must listen to the dull prejudices of these people; therefore we will have a modified Motion; let all the poor souls from H to Z on the Consolidated Fund be taken and jostled together as they please, and God speed the result." Against that sort of Amendment I protest. I am not aware that I need trouble the House further, as I reserve to myself the usual courtesy of being allowed to reply to those objections which may be urged to my Motion; and I therefore only thank the House for the kind and patient hearing which has been afforded to me, and conclude with moving "That a Select Committee be appointed to inquire into the consideration of each pension in the List ordered to be printed in August last, and to Report therefrom to the House."

Lord *Althorp* said, that before going into the general question which had been brought forward, he was anxious to disembarrass it of some circumstances in which the memory of the hon. and learned member for Colchester had certainly failed him, with respect to the Debates and Resolutions which on former occasions had taken place. The hon. Member had stated, that the Amendment moved by the right hon. Baronet the member for Dundee (Sir Henry Parnell) on the subject of the Civil-list, was to refer the Pension-list to a Select Committee; but, in reality, it was to refer the whole of the Civil-list to a Committee, and, as far as he recollected the Debate, he did not think the Pension-list had been very particularly insisted on. Again, the hon. and learned Gentleman had attributed to him the opinion, that this was to be an open question. Now, he had admitted, certainly on the occasion referred to, when proposing a grant of money for a particular period, and postponing for some time the bringing forward of the Civil-list Act, that up to that time it was open; but he had never stated, that it would be generally open, for after the Civil-list Act was passed, such an opinion would be directly contrary to the provisions of the Act itself. He had stated, when the hon. and learned Gentleman formerly introduced the subject, that it would be extremely difficult to vindicate all the grants in the Pension-list; but what was the real question which the House had now to decide? He apprehended the proposition of the hon. and learned Gentleman amounted to this—that a Committee be appointed to inquire into the pensions, with a view to decide whether they should continue, if it should appear that they had been improperly granted at the first. It was upon that ground that he felt perfectly ready to meet the hon. and learned Gentleman's proposition. The House must recollect that there was a great and most essential distinction between the questions, whether a pension legally granted at the time had been properly so granted, and, whether, being improperly, but legally granted, it should be taken away? He did not hold the doctrine, that the pensions on the Civil-list were completely without any control whatever, even though the prescribed limits were not exceeded; the Government for the time, as the responsible advisers of the Crown, being answerable to that House for the course they might recommend. But, then, the responsibility should be visited on the proper parties, without taking away the benefit from those on whom a legal right had been conferred, because the advice which had originally been given might afterwards be considered to have been mistaken. On the occasion to which the hon. and learned Member had alluded, he had argued, that, as these pensions had always been considered as grants for the lives of those who held them, though you might have a legal right to take them away, you would commit an act of injustice if you did so. That was, undoubtedly, the case at the last discussion, but it was not so now. At present, whether they looked to the justice, or to the legality of these grants, it must be admitted, that, during the reign of his present Majesty, the parties in possession have a legal title to them. If the House entered into a consideration of these grants, with a view of taking away the pensions from the present holders, it would take away from them a legal right. It might be, that the responsible Ministers of the Crown, in advising these grants, acted wrongly in giving such advice; it might be, that the original grants were quite indefensible, but the parties had received them according to law; and if the House proceeded to take them away, it would be depriving them of a right strictly legal. The hon. member for Colchester had admitted that a great reduction had been made of late years in the amount of pensions on the Civil-list. The hon. and learned Member had truly stated, that, up to the time of Mr. Burke's Civil-list Bill, there had been no limitation as to the amount of pensions charged upon the Civil-list. At present, that was no longer the case; and, in order that the House might more distinctly understand the limitation which existed, he would state how much the Pension-list had been reduced since the accession of his late Majesty, in 1820. In that year the pensions charged on the Civil-list of England amounted to 74,200*l.*, on that of Ireland to 67,377*l.*, and on that of Scotland to 37,191*l.*; besides those charged on the four and a half per cent duties, which amounted to 24,290*l.*, making a total of 203,058*l.* At the accession of his present Majesty the pensions charged on the Civil-list of England amounted to 74,200*l.*, on that of Ireland to 51,155*l.*, on that of Scotland to 30,467*l.*, and on the four and a half per cent duties to 25,122*l.*; making a total of 180,944*l.* The House would recollect, that when he brought under its notice the proposition respecting the Civil-list of his present Majesty, he had proposed that these three different Civil-lists should be taken away, and that they should be all consolidated into one; upon which 75,000*l.* a-year was fixed as the limited amount of pensions to be charged in future; thus making a prospective reduction of 138,058*l.* a-year below the amount of pensions in 1820. One question which the House had to consider then, but which it was not called upon to consider now, was, whether any such sum should be granted for such a purpose. He contended, that it was right that the governing power should have means at its command for the reward of merit, for the relief of persons of station in distress, and for the remuneration of those who had distinguished themselves, not in the public service of the country, but in the scientific and literary attainments of civil life. Hon. Gentlemen might, perhaps, quote instances of pensions which did not come under any one of these categories. He did not mean to say, that there were not some names on that list which ought not to have been there; but when he said that, he must add, that it was an abuse of power which had placed them there, and that those who advised the abuse were, and ought to be, responsible for it. The right to grant these pensions must exist somewhere under every government. There were names on the present list—and he had never denied, nor would he now deny, the fact—which ought not to have been there. But the strongest objection, as it appeared to him, against the list was, that it contained the names of several persons who were rightly placed upon it originally, but who, since that time, had acquired large incomes, which rendered them unfit objects for Royal benevolence. [*Cries of "No."*] What! was not that change in their fortunes any objection to their continuance on the Pension-list? He thought that it was an objection, and a very strong and proper objection. Though he was not prepared to take away any legal right from those now in the enjoyment of it, he would say this,—that he should be sorry to be in the situation of such individuals, enjoying a large private income, and, at the same time, receiving a considerable pension from the Crown. He had now stated the grounds on which he objected to the inquiry proposed in the present Motion: he objected to it because he thought that it was unjust to take away from any man that which was legally given to him. With respect to the power of granting these pensions, he should be sorry if it did not exist, when it was considered how many objects there were to which it might properly be directed. When he considered the purposes for which such a power ought to exist,—when he considered that it provided a fund from which rewards could be distributed to eminent public service, and assistance could be administered to persons who, from their rank and station, were not able to obtain the means of existence by entering into ordinary professions, and were yet placed in distressed circumstances,—when he considered that you could in this manner aid persons engaged in scientific and literary pursuits, and soothe the declining age of such a man as Mr. Dalton,—when he considered all this, he was convinced that the power of granting these pensions ought to exist; but he must add, the greater the utility of having the power, the more was every abuse of it to be condemned. He admitted, likewise, that if a case were made out of gross abuse in the grant of a pension, it was a case in which a Minister ought to be made strictly responsible. In saying that, he did not mean to admit, that it would be either right, or just, or proper, to take away from the party holding the pension the legal right to it which he had acquired. As to his own opinions on this subject, he had stated them so frequently, that he felt that he had no occasion to repeat them now. He would simply say, that he should be sorry to be a party to such a proposition as that made by the hon. member for Colchester; and he earnestly trusted, that the House would not adopt it. He was ready to admit, that there was a strong public feeling excited on this subject. He admitted, that the name of pension was an odious name, and that a Motion for the abolition of all pensions was, and necessarily must be a very popular Motion. He had, therefore, stated what the circumstances of the case really were; he had pointed out the facts as they existed at the accession of his late, and as they had been altered since the accession of his present Majesty. He would now proceed to record, in a resolution which he would propose, as an Amendment, to the House, the principles on which he thought that the responsible advisers of the Crown ought to act in such cases in future. It would be desirable that the House should lay down, as a guide to Ministers, the principle, that no pension should ever be granted unless the Minister recommending the grant were convinced that the person who was to receive it had rendered some service to the country, so as to deserve the recommendation. It would, however, be unjust to grant the hon. Gentleman's Motion, and to affirm that persons, having a legal right to their pensions, should be deprived of them because the original grant of them was disapproved of. He should move, as an Amendment, the following Resolutions:—

That it appears, from papers before the House, that, upon the accession of his late Majesty, the charge for pensions on the Civil-list of England and Ireland, the hereditary revenue of Scotland, and the four and a-half per cent duties, stood as follows:—

England	£74,200
Ireland	67,377
Scotland	37,191
Four and a half per cents ..	24,290
	203,058

That on the accession of his present Majesty, the charges of an analogous nature amounted to the following sums:—

England	£74,200
Ireland	51,155
Scotland	30,467
Four and a half per cents ..	25,122
	180,944

That his present most gracious Majesty having placed at the disposal of Parliament his Majesty's interest in the hereditary revenues, in the droits of the Crown and of Admiralty, as well as the casual revenues, both within the United Kingdom and in his Majesty's foreign possessions, two acts were passed by which the Legislature, in proof of dutiful attachment, assigned a Civil-list, for the life of his most gracious Majesty, and raised further charges on the Consolidated Fund, thus providing for the honour and dignity of the Crown, and for the support of the Civil Government.

That under these acts a sum of 75,000*l.* was fixed as the amount of the pensions on the Civil-list of his Majesty, the balance of the existing pensions being otherwise provided for, by which arrangement, on termination of the existing interests, the whole charge of the pensions, except the charge on the Civil-list, will become a saving to the public; and the charge for pensions, which is now 44,263*l.* below its amount in 1820, will be reduced eventually to 75,000*l.*, being 138,058*l.* below that sum.

That under the provisions of these Acts the charge on the public has already been reduced, since the accession of his present most gracious Majesty, by the sum of 12,149*l.*; and that the further reduction of the expenditure to the sum limited by the Civil-list Acts is progressive, and has been fixed by law.

That it is the bounden duty of the responsible advisers of the Crown to recommend to his Majesty for grants of pensions on the Civil-list such persons only as have just claims on the Royal beneficence, or who, by their personal services to the Crown, by the performance of duties to the public, or by their useful discoveries in science, and attainments in literature and the arts, have merited the gracious consideration of their Sovereign and the gratitude of their country.

Mr. *Roebuck* agreed with the noble Lord, that there ought to exist a power somewhere of rewarding merit; but, at the same time, he would maintain, that that House ought to possess the power to determine whether that power had been exercised properly or not. If it appeared to the House, as the Representatives of the people, that the advisers of the Crown had improperly applied the money of the people, it followed, as a necessary consequence, that not only the responsible advisers ought to receive punishment, but that the persons who obtained the money ought no longer to receive it. If that House had been induced to pass an improper law—if it had been misled to confirm improper rights—the best thing it could do would be to abolish the law, and to destroy such rights. Every day that House was employed in curtailing legal rights, and in abolishing laws. If, in abolishing rights, the House did any individual wrong, it was the custom to compensate the sufferer. If, in abolishing these miscalled rights, the House did no injury, but only placed the pensioners in the position in which they ought to have been, and in which they would have been had not the wrong been done in their favour, then it could not be said, that the House was going beyond a proper exercise of its powers. What was the position laid down by the noble Lord? A person advised his Majesty to confer certain grants on individuals; the adviser went out of office, or died; and yet the improper grant could not be rescinded, or taken away, on account of its having been given on the responsibility of a person who was no longer responsible. Perhaps not a person might be in existence who had been concerned in advising the grant of an improper pension; not one might be within the reach of responsibility; and yet, said the noble Lord, the House must continue to pay the sum that had been so improperly granted. He would ask the noble Lord to point out the persons to whom he had alluded as being improperly and unadvisedly placed on the List. This country was the most profuse and lavish in the world of public money; but its profusion was not exhibited towards literary merit, or merit of any sort, except corrupt merit. It was bestowed on those who had done what was called secret service. God knew what such service meant, what it had been; but it would be satisfactory to know distinctly what sort of merit constituted such secret services. If anything were done which ought to be rewarded, it might be safely told to that House, and the House had a right to institute an inquiry into it. He appealed to every Gentleman in that House, at least to every man who had any constituents, whether by the vote he gave that night he was not going to be pledged to the people of England to inquire how far their money was disposed of. He was ready to agree with the noble Lord, that the amount of the pensions were paltry; but the expenditure was so large, that every individual sum, of whatever amount, must appear trifling. The principle involved was by far more important than the sum itself. In saying that these pensions were a legal right, and that the House ought not to disturb it, the noble Lord had gone much further than he, or any democrat in that House had ever gone, to disturb legal rights, by confounding the just with the unjust, and mingling together what ought never to be confounded. The noble Lord had gone far to break down all barriers between right and wrong, by the Resolutions he had moved, in opposition to the motion. The noble Lord had gone far to sanction the pensions he acknowledged to be improper, and the grounds on which they had been granted. He had not only supported the abuse, but the principle upon which all such abuses ever had and ever could be committed. He, for one, would enter his protest against the vicious principle which the noble Lord had advanced; and, he trusted, that the House would, at least, show its consciousness of its responsibility to the people by supporting the motion and rejecting the amendment.

Mr. *Divett* had seen, with extreme regret, the course which his Majesty's Ministers had taken. He was sorry to say, that the noble Lord was not following up the principles which he had professed, and that he obliged him to vote against the Government, to which he was conscious that the people owed many and great obligations. He could not see anything whatever that ought to prevent the inquiry called for on the Motion of the hon. member for Colchester. The pensions, if legal at all, could not be legal for more than one reign. The noble Lord had been pleased to acknowledge that the pensions were odious to the country, and he could say, that they were most thoroughly and most justly odious, to every class of the people. Much more than the amount of the List was involved in the question. There was a principle involved, and it must be obvious to every man that, in the cases of the abuse of power which the noble Lord had acknowledged, the pensions which had resulted from such abuse ought to be done away with. There was another ground on which he felt it his duty to support the motion. It would be the duty of that House very shortly to inquire into the evils of the Poor Laws. Vast numbers of paupers were supported at the expense of the industrious, and if in the investigation of the Poor Laws the House went into that subject, it would behove them much more to examine into the cases of those who were connected with the aristocracy, and were possessed of large property, and who were yet living on the people. He deeply regretted that Ministers intended to resist the inquiry, which was essentially necessary to set that House right with the country.

Lord *Ebrington* was of opinion, that Ministers ought not on such an occasion to shrink from uttering their sentiments or from acting upon them. His mind was not influenced by any party motives or personal considerations, and he might state, that he acted from no feelings of sympathy with any of those whose individual interests were involved in the discussion. In looking at the list of these pensions, he certainly saw much reason to condemn those who had advised the granting of many of them. He was also fully aware of the excitement which prevailed out of doors on this question, and of the great obloquy which all who opposed the motion would be liable to. He could have no motive except a sense of public duty for taking the course which he certainly should take. He hoped that he never would be disposed to shrink from the performance of his public duty. Whatever reluctance he might feel in addressing that House, it did not proceed from his wishing to shrink from the responsibility of his vote, or from any fear or reluctance to expose the grounds on which he voted. The question before the House had assumed a very different shape from that which it used to bear, for, since the former motion that had been made upon the subject, the pensions, which from time immemorial had been granted for the lives of the persons holding them, had been sanctioned and confirmed by the laws of Parliament. It was, therefore, on the ground of those acts, it was on the ground that Parliament stood pledged on the subject, that he rested his opposition to the present motion. His noble Friend in his Resolutions had strongly laid down the future responsibility of all Ministers who advised the granting of pensions; and, he trusted, that his Majesty's Ministers, and all others that might hereafter fill their situations, would feel that pensions were not to be disposed of at the mere will, the pleasure, or caprice of the Sovereign, but that they were to be granted in the execution of a trust by the King in disposing of the public money, and that they were to be given solely as the reward of merit. He trusted, that the principle would be strongly borne in mind in future; but feeling that the present pensions were sanctioned and secured to the holders upon the faith of a Parliament, and that they were founded on immemorial customs, and that the possession was granted for the lives of the holders—that they were granted by persons who had the power to grant them—and feeling that in voting for the Committee he could not consider himself but as giving a power to the Committee to take away each pension, he should feel himself bound to oppose the motion. It would be nugatory to vote for the Committee if he did not support the Committee, if they should recommend the taking away of the pensions. Whatever reluctance he might feel on the subject, he could not take any other course than that of voting for the amendment.

Mr. *Hume* was really surprised at the speech of the noble Lord, representing, as he did, a large constituency, which he would say, had done itself honour in sending him into that House, pledged as he was to support every system of economy that was consistent with honour. The noble Lord had admitted that many of these grants were most improper, and had said that it was his wish, in concordance with the resolution of the Cabinet, to have the money allotted to the Crown properly applied, and to what purposes? The noble Lord said, that it was money in trust for the people, granted to the Crown to reward merit, to support those who from rank and station had fallen into misfortune and distress, and to assist men of literature and science. He thought that the noble Lord, instead of talking in this loose and general way, had better attend to the sound sense and shrewd observation of the hon. member for Exeter; for, with what face could the noble Lord come down to the house and say, " I will introduce a law which will take from the poor man the scanty pittance which the law now allows him, but I will not even permit an inquiry into the circumstances of the noble pauper, who is quartered on the public, lest it should deprive him of the large portion of public money on which he now lives in luxury and comfort?" Was this politic? He would not ask, was it just? The poor man had no connexions upon earth to assist him, and might starve if deprived of his miserable dole; but the noble pauper had connexions to assist and support him in case he was deprived of the public booty on which he had so long fattened. Was it on that account that the poor man was to be mulcted, and that the aristocratic pauper was to pass scot-free? He knew not how the noble Lord, after proposing so large an expenditure of the public money for the mendicant members of the nobility, could venture to propose a law, which he would not be able to carry without some difficulty—a law taking from the poor their present amount of relief, with a view of bringing back the poor laws to the healthy state in which they were when first established. There was no probability of injustice being done to any individual in consequence of the proposed inquiry: the cheers with which the mention of the name of one gentleman upon the list had been received, showed that the House would always be ready to recognize and attend to the claims of persons of merit. He reminded the noble Lord (the member for Devonshire) Lord Ebrington, of what had fallen from the Chancellor of the Exchequer, who said, he thought, many of those pensions ought not to have been granted, and expressed a wish, that they never had been granted. Could it be said, after this admission, that those who were now favourable to inquiry were advocates of injustice? How could a proceeding which the noble Lord the Chancellor of the Exchequer fairly admitted that he wished never to have taken place, be one for the House or the supporters of Ministers to sanction? It was not sufficient to rely upon the technical grounds of an act of Parliament in order to support the continuance of an admitted injustice. Let there be an inquiry, and let a line be drawn between merited and undeserved pensions. Could anything be fairer than that? If some pensions had been granted improperly, was it to be supposed that his Majesty would not thank the House for affording him an opportunity to remove from the pension list those who had been long fattening on the public purse? He was not prepared to repeal the acts of Parliament; but if it should turn out that many of the objects participating in the sum of 75,000*l.* were totally undeserving, and that their pensions were disgraceful, would it be degrading to the Crown, after full inquiry, to address his Majesty on the subject, and request him to erase such pensioners frem the civil list? Surely, that would not be an improper interference with the Royal prerogative, but the contrary; doubtless his Majesty would feel satisfaction in removing from the list unworthy objects, and placing upon it in their stead men deserving of the public bounty, and who had distinguished themselves by public services or scientific or literary acquirements. If this were done, people would no longer look upon pensions as something disgraceful, but as the reward and result of meritorious services. At present the case was widely different. He did not wish to mention individuals, but he could name one person who had already received 46,000*l.* of the public money by way of pension, and he should be glad to know whether he was entitled to the public liberality for any services that he had ever performed. The Acts of Parliament in question would not have been allowed to pass as they did, but for a dread of their rejection being attended with other consequences of a disastrous nature. Ministers were now bound to admit of the proposed inquiry, in order to make the *amende honorable* to the House and the country for previous injustice. If the House refused to grant an inquiry which took from no man or woman a single farthing, but only ascertained on what principle pensions had been granted, the country would not be satisfied. The popular voice was against the pension list—why? because it was full of abuses, and an imposture on public liberality. Pensions had been improperly and corruptly granted, and of such pensions the list ought to be purged. The pension list boasted of some names which did honour to it—such was that of Rodney; and if others of a different description were not found there, no complaint would be heard on the subject. The object of an inquiry should be to place pensions on a proper footing of meritorious services in the pensioners or their progenitors, and to secure the country against a diversion of the public money to persons who should never receive it, and who could only be appointed through the most corrupt practices that ever existed. Did he ask the noble Lord to do anything contrary to honour or integrity? By no means; it was for the honour of the country that unworthy pensioners should be removed from the list. Take the three first names on the pension list: he had calculated that those individuals had cost the country no less than 90,826*l.*; this was calculating their receipts at compound interest. He had calculated what the whole list had cost the country, and found that the sum exceeded 11,000,000*l.*: Were there eleven worthy objects upon it? He called upon every Member who had any respect for the credit of the House to agree to the Motion of the hon. member for Colchester, without reference to the noble Lord's resolutions. A promise to do well in future was not enough, and ought not to induce the House to allow the plague-spot which had been long since contracted to continue. He was for purging the present unworthy list of its incumbrances; at the same time he should be happy to vote for the continuance of the pensions of those whose public services or literary and scientific acquirements gave them just claims upon the public bounty.

Mr. *Robinson* would support the Resolution of the hon. member for Colchester upon its own merits, and because the noble Lord's Amendment offered no answer to the Motion. The noble Lord's Resolutions contained a string of truisms to which anybody might assent and nevertheless vote for an inquiry, inasmuch as the Amendment had no bearing on the question, and was of no value whatsoever. The noble Lord had made two important admissions, of which he hoped the House would not lose sight; first, that, legally speaking, those pensions had no existence after the death of the Sovereign by whom they were granted; and secondly, that there were many names on the list which ought never to have been there. He rested his support of the hon. Member's Motion on those two propositions of the noble Lord. The noble Lord argued as if Parliament was about to take away the pensions of deserving persons; but he (Mr. Robinson) denied the desert of the parties, and was satisfied that if they were deserving, we should never have heard a word against the Pension-list either within the walls of Parliament or out of doors. His notion was, that if a Committee were granted, every person who could show a decent claim to reward for public services would have his pension continued, and that even in doubtful cases, where pensions had been enjoyed for a number of years, and distress would follow their abolition, the utmost consideration would be bestowed previous to the adoption of a decided course. All he asked was, that where there existed no pretence of public service, and no just claim on public munificence, and where parties were able to support themselves without aid from the public purse, pensions should not be continued. This was perfectly fair and reasonable. He did not consider the Motion as conveying any imputation on the present Ministry, who were clear of offence in the matter, and whom he believed to be quite incapable of recommending improper persons to his Majesty as objects of public bounty. He said thus much in reference to the existing state of the Pension-list of which the present Government were not the authors; but if Ministers persisted in opposing an inquiry, people would not be well able to see the difference between those who had advised the granting of improper pensions, and a Government which threw the whole weight of their influence into the scale in order to prevent their removal. If Ministers thought proper to oppose an inquiry in their individual capacity, he saw no reason why they should make resistance to it a Government measure, or call upon those who generally supported them to vote against the Motion, inasmuch as though Ministers should be left in a minority (as he hoped they would), he did not see how it would affect their stability as a Government. For his own part he was of opinion that this was a fit subject for inquiry, and, disclaiming all hostility to his Majesty's Government, he should give his cordial support to the Motion.

Mr. *Spring Rice* said, the hon. member for Middlesex had declared that he sought no economy inconsistent with honour. It was on that admission that he opposed the Motion; and unless the hon. Member could draw a distinction between honour and justice, he thought he should be able to satisfy the House on that principle, that the Motion was objectionable; and he then trusted that he should not find himself in the minority which the hon. member for Middlesex seemed to anticipate. It had been, observed by the hon. member for Bath, that the sum in question was small in comparison with the gross expenditure of the country; true—but a subject like this could not be entertained as a mere question of economy. The hon. member for Middlesex had certainly swelled the amount most enormously by the somewhat preposterous computation of compound interest. This was raising up a phantom—a phantom, which, though it might produce but little effect in that House, was calculated to make a great sensation out of doors. The House would see that such calculations were like that arithmetical puzzle, with which boys were sometimes amused, and which consisted in estimating the cost of a horse, by successively multiplying the nails in the animal's shoes, beginning with one, and fixing that at a farthing, and multiplying progressively, by which process as hon. Members knew, the value of the horse was made out to be almost as great as the National Debt. If any inference was to be drawn from the large sums said to have been paid to some individuals, it was that many of those pensions were of very great antiquity, and that those persons by whose recommendations they were granted had been long deceased. How would the House be able to deal with such cases? He implored the House to consider the great difficulties in which they would involve themselves by an inquiry of this kind, and would then ask them, when they considered the small amount of pecuniary saving, whether it were worth investigation? The hon. member for Worcester had admitted that no blame would attach to his Majesty's Government with reference to these pensions, as the names upon the list were not selected by those with whom he had the honour to act. If, therefore, members of the Government came forward on what certainly was an unpopular side, he was sure that no man, on an impartial and candid consideration, would accuse them of looking with a favourable eye on those grants, on the maintenance of which a sense of public duty alone induced them to insist. The hon. member for Colchester need not expect from him any of that sinister dexterity which the hon. Member deprecated, though he had displayed a great deal of dexterity of one kind or another. The hon. Member had said, he would not deal with names, but nevertheless, with the dexterity (he did not say sinister dexterity) of which no man in that House was a greater master, the hon. Member had involved the subject in much of imputation, and had rendered it as invidious as possible to many individuals, without leaving any fact for his opponents to grapple with. The hon. Member had dexterously referred to the opinions of the constituency, and certainly that was an appeal which he for one was not afraid to meet. At a numerous meeting of his own intelligent constituents he had been asked by them how he would deal with the Pension-list, and as it was after he had explained his opinion to them on the subject that he was elected, he had nothing to retract. He had on being questioned by his constituents, answered, that he would not defend many of the names contained in it. That there were many names on it which ought never to have been placed there; but, at the same time, that he preferred the adoption of a course with a view to prevent the recurrence of abuses in future, rather than, by the removal of existing names to enlist the claims of sympathy, against the cause of salutary reform. He had expressed his conviction that Ministers would not add a single name to the Pension-list on improper grounds; if he found himself mistaken in that belief, he should consider it his duty to separate from them and oppose the attempt; but that he was not prepared to take away from individuals what had already been given them by the law of the land; he would not do so, because he thought such a proceeding would be unjust. The persons whose names were upon the Pension-list held their pensions upon security given them by the law of the land, passed on full deliberation, with all the means of inquiry in the hands of Parliament. Such being the case, he looked upon the question as resting upon a solemn contract. [*No, no.*] Gentlemen who cried "No" would have an opportunity of disproving his statement by argument, which was preferable to any interruption. He was prepared to show, by reference to acts of Parliament, that the individuals now upon the Pension-list possessed the fullest security which it was in the power of the Legislature of the country to afford. If, at the time of passing the Civil List Act, and the Act by which pensions were charged on the Consolidated Fund, Members had only the gross amount of the Pension-list before them, some pretence for complaint might exist, but the Pension-list itself with all its items was on the table of the House long before the Acts were passed; and every Member must have known every objection that could be raised to every one of those pensions previously to the passing of the Bills. It was with a full knowledge of all those objections that Parliament had passed the Acts. The Pension-list was an open question until those laws had been passed, but afterwards it ceased to be so, unless the Parliament was now prepared to agree, not merely to the removal of those names, but to a censure upon the Government and of the Legislature which had passed those laws. The hon. member for Middlesex talked of the pretext of an Act of Parliament; did he mean that the law was a pretext? Would he tolerate persons who spoke of the Habeas Corpus Act, or the Bill of Rights, as a mere pretext of an Act of Parliament? The pensions had been granted by the three branches of the Legislature, and though it had been considered expedient to limit such grants in future, it would be most inexpedient, unless they meant to loosen all that Parliament had most strongly bound up to examine the grounds of the several existing grants, with a view to rescind them. The hon. member for Colchester had truly stated, that prior to Mr. Burke's Civil-list Bill, pensions were granted at the discretion of the Crown, and, subsequently to that bill, the gross amount was the only thing limited. Although he had before observed that he did not rest the question on mere pecuniary grounds, it might be worth while, having stated the grounds upon which the right to the pensions rested, to compare the Pension-list of the present day with that of former periods. Looking at a favourite year of economy, 1792, he found the amount of pensions then to be 208,900*l.*: comparing the present amount with that, there already appeared an actual saving of 40,100*l.*; and the eventual saving, when the provisions of the existing Acts were carried into full effect, would be 133,900*l.*, or nearly two thirds of the present amount: this is the result as compared with the economical year of 1792. Even since the commencement of the present reign, what had been the effect of the prospective measure which had been then brought forward by his noble friend? The beneficial consequences of that measure had already begun to show themselves, though his noble friend had not adverted to them. Since November, 1830, up to the present time, the actual saving effected by his arrangements had been 12,000*l.* a-year, and the contingent saving would amount to 130,000*l.* The great question between him and the hon. Gentlemen opposite was, whether the House forgetting all moral principles, and all those principles which gave force to their own acts, should proceed to set aside Acts of Parliament, and injure existing interests, or whether they would not rather wait a short time, till these grants were extinguished in the course of nature? He would ask, what did gentlemen propose by going into Committee? What did they expect to extract through the means of that Committee? He would not, indeed, attribute to any Gentleman an undue curiosity, or any prurient desire to pry into the private affairs of others: but for his part, he did not see what other object the examinations before the Committee could attain. He was told, to be sure, that they wanted to go into the origin of those grants. Now, as the antiquity of most of these grants was admitted, the majority of the Ministers who were responsible for advising them, could not be forthcoming: were Members then to take the list up—to call all the parties before them (the responsible advisers for the grants not being in existence), and to enter into the private merits of each individual grant? Was that the course of inquiry which it was proposed to institute? He could not imagine an inquiry of a more disagreeable character to the parties inquiring, and of a more painful character to the parties into whose affairs they would have to inquire; while he could not divine what single object of real practical utility could possibly be obtained by the adoption of such a course. He would only say, that should such a Committee be appointed, the Gentlemen that would occupy the future chair would neither have to undertake a very agreeable nor a very useful course of examination. He must be allowed to say, that the hon. member for Colchester had not dealt quite fairly with the Ministers. The hon. Gentleman said, "Support your own resolutions; and whereas, on a former occasion, your resolutions went to call for an account of the motives or considerations on which these pensions were granted, I now call upon you to do that by inquiry which you were then prepared to enforce by order." All the Ministers meant and all they stated, on acquiescing in that order was, to engage that if on the face of the written instrument, they could find assigned the reasons upon which the pension was granted, to produce as a matter of course each grant to the House. There was not one of those grants, a copy of the warrant for which could not, upon Motion, be laid before the House. They all ran in almost the same words; and in no case did they specify any consideration, except the will and pleasure of the Sovereign. The principle, in fact, of all such grants was, that they were acts flowing from the will and pleasure of the Sovereign. The hon. Member who had brought forward this Motion, and the hon. member for Middlesex who supported it, differed upon some rather material points. The hon. member for Colchester considered the Civil List Act and the Consolidated Fund Act as both equally fit objects for inquiry, and of course for revision. But the hon. member for Middlesex acknowledged, that he was pledged to the Civil List Act; he would not therefore touch the pensions that were placed on it, but he would have those placed on the Consolidated Fund inquired into, with a view, if possible, to their reduction. Now, what would be the effect of adopting such a proposition? Why, simply this—that as these pensions were arranged in literal order, all those after the letter H would be submitted to inquiry, while those placed before that letter would be exempt from any examination. He would admit, with the hon. and learned Mover, that if one of those Acts was open to inquiry, they were both open to it; but being prepared to deny, that either of them could, with propriety, be subjected to such an examination as that now proposed, he was bound to resist an inquiry into either of them. He had said, that these engagements were in the nature of a contract. He was ready to prove this proposition. At the time of the accession of his present Majesty, the House obtained an entire and absolute abandonment, not only of the hereditary revenue — which, upon any other former occasion, had been surrendered by the Crown—but of other revenues, which, up to that moment, had been kept within its uncontrolled and unrestrained dominion. The House of Commons was grateful for that resignation on the part of his Majesty. But did the House of Commons, however grateful, abandon its duty with respect to this very particular vote? It did no such thing; because it looked naturally—but it looked justly—to the restriction of this vote for pensions, as one of those important duties, the discharge of which its constituents had a right to demand; and, notwithstanding the large concession on the part of the Crown, the Committee suggested—and the House and Legislature acquiesced in the suggestion—that there should be imposed a limitation upon the Civil List pensions greater than was ever agreed to by any former Sovereign—greater than in 1792—greater than at the time of Mr. Burke's Bill—greater than at the accession of the late King—greater than at any period of comparison to which reference could be made. Yet it was now proposed, the compact having been executed on the other side, that the House should proceed on the case made out by the hon. member for Colchester, to revise such portion of it as the House might think it advantageous to alter, and to open anew that arrangement which was solemnly agreed upon, and carried into effect in the last Parliament. It was open to the House, at the time of the discussion of the Civil List Act, to refuse these pensions; the House might have said, at the time of the consideration of the Consolidated Fund Act, "We have already placed a sum of 75,000*l.* at the disposal of the Crown by another law, and we will not add to that grant at the present moment;" but, after having sanctioned both grants within the last two years—after having sanctioned them in the positive terms of those Acts—could the House bring itself to revise the decision, and deprive the Crown of that which the House had so recently placed at its disposal? The wording of the preambles to modern Acts of Parliament was, generally speaking, neither so lucid nor so expressive as that of the more ancient statutes; but the preamble to the Civil List Act partook in a great measure of the force and expressiveness of the more ancient legislation. The Civil List Act—an Act which had been recognized and strengthened by an Act passed by the present House of Commons—so clearly expressed in its preamble the contract into which Parliament entered with regard to those pensions, that he thought he could not better describe the nature of that contract than by reading the words of the preamble to the house. They were as follows;—"Whereas, his Majesty having been graciously pleased to signify to his faithful Commons in Parliament assembled, that his Majesty, placed, without reserve, at their disposal his Majesty's interest in the hereditary revenues, and in those funds which may be derived from any droits of the Crown or Admiralty, from the West-India duties, or from any casual revenues, either in his Majesty's foreign possessions or in the United Kingdom: and that in surrendering his Majesty's interest in revenues which had, in former settlements of the Civil List been reserved to the Crown, his Majesty rejoiced in the opportunity of evincing his Majesty's entire reliance on their dutiful attachment, and his Majesty's confidence that they would cheerfully provide all that might be necessary for the support of the civil Government, and the honour and dignity of his Majesty's crown. His Majesty's most dutiful and loyal subjects, the Commons of the united kingdom of Great Britain and Ireland in Parliament assembled, with hearts full of the warmest duty and gratitude, declare their desire that provision should be made for the support of the civil Government by charges upon the Consolidated Fund, and otherwise by other Acts to be passed in the then Session of Parliament, and that a certain and competent revenue for defraying the expenses of his Majesty's household, and supporting the honour and dignity of the Crown of the United Kingdom during his Majesty's life (whom God long preserve), might be settled upon his Majesty." Such was the contract which Parliament had made. Whilst the Act was under discussion, then was the time to raise an objection to such a contract,—then was the time to protest against those grants; but now, after that Act had been law for more than two years, was the House of Commons prepared to alter the terms of the contract, and to take back pensions that had been granted under it? He remembered well that, in the discussions on the Reform Bill, they had been told that a reformed House of Commons would forget obligations or engagements of every kind, no matter how solemn or how binding they might be; he recollected equally well, that the advocates of reform, denied that assertion; and he now confidently trusted that the event of that night's division would verify the anticipations of the friends of Reform, in favour of the honour and good faith of a Reformed Parliament. The hon. Gentleman who had brought forward this Motion had referred to many authorities, and amongst others, he had referred to the authority of Edmund Burke. At the time to which he alluded, the argument and authority of Burke was applicable, and so might the authority of Fox and Dunning, and so might many other great names, down to the beginning of the present reign, because, till that period, the Civil List included many charges for the support of the civil Government of the country, as well as the support of the honour and dignity of the Crown. By the alterations made by the present Ministers the sum appropriated to the Crown was separated from every other; making the Civil List more safe and the compact with the Crown more secure and binding. There was another point which must also be taken into consideration. On former occasions, the Crown had asked for an increase in the amount of the Civil List, or for the payment of Civil List debts. It was clear, that, when the Crown placed itself in such a position, the whole question of the contract was thrown open by the Crown itself; but a proposition, which was refused to be entertained even at times when the debts of the Crown rendered an application to Parliament necessary, was now made, and was expected to be carried, at a period when no gentleman had attributed, and when no gentleman could attribute, to the Crown the creation of a debt upon the Civil List. But as the hon. member for Colchester had referred, among other authorities, to the authority of Mr. Burke, in support of the view which he took of this question, he must observe, that there was a passage in one of the speeches of that great man which expressed, so much more powerfully than he could express, the arguments which he was desirous to place before the House upon this point, that he was sure he should gratify hon. Members by reading it. It was contained in Mr. Burke's speech upon economical reform,—the point immediately under discussion, where the passage occurred was, whether it would be wise and expedient, in carrying into effect economical reforms, to proceed by sacrificing existing interests, or whether it would not be at once more just and more wise to proceed by a prospective measure, and to let time carry the object in question into full effect. Let them see, then, what Mr. Burke said, speaking of places, which he says are analogous to pensions—places, which were granted as the reward of services, but which, like the pensions now under discussion, were, in too many instances, given without a due regard to the nature or degree of the services performed. Upon that point Mr. Burke's words were these;

—"Those places, and others of the same kind, that are held for life, have been considered as property. They have been given as a provision for children; they have been the subject of family settlements; they have been the security of creditors. What the law respects shall be sacred to me. If the barriers of law should be broken down upon ideas of convenience—even of public convenience—we shall have no longer anything certain among us. If the discretion of power is once let loose upon property, we can be at no loss to determine whose power and what discretion it is that will prevail at last. It would be wise to attend upon the order of things, and not to attempt to outrun the slow but smooth and even course of nature. There are occasions, I admit, of public necessity, so vast, so clear, so evident, that they supersede all law. Law, being only made for the benefit of the community, cannot, in any of its parts, resist a demand which may comprehend the total of the public interest." The hon. Gentleman opposite cheered that sentiment. Let him prove, that "the total of the public interest" was at issue on this Motion, and then, but not till then, his cheer would be applicable. Mr. Burke went on to say—"To be sure, no law can set itself up against the cause and reason of all law; but such a case very rarely happens; and this most certainly is not such a case. The mere time of the Reform is by no means worth the sacrifice of a principle of law. Individuals pass like shadows; but the commonwealth is fixed and stable. The difference, therefore, of to-day and to-morrow, which to private people is immense, to the State is nothing. At any rate it is better, if possible, to reconcile our economy with our laws, than to set them at variance—a quarrel which in the end must be destructive to both." It was impossible for him (Mr. Rice) to add anything to the powerful reasoning of Mr. Burke on that point. The analogy between the pensions alluded to by Mr. Burke and those now under discussion was obvious. Were not the present pensions protected by law? He understood the hon. member for Marylebone (Sir S. Whalley) to say "No" to that proposition. As one of the constituents of that hon. Member, he must deplore the expression of such a sentiment on his part. Again, he would say, that those pensions were protected by law, and that they could not be altered except by act of Parliament. [Sir S. Whalley was understood to intimate that they could.] The new constituents of the hon. Member had certainly reason to triumph in their representative's powers of discrimination. The hon. Member asserted, that an alteration in those pensions could be effected otherwise than by Act of Parliament. He should like to see that hon. Member exercise his ingenuity in endeavouring to effect such a point. He rather imagined that it exceeded even the ingenuity of that hon. Member to get rid of one act of Parliament, except by repealing it by another Act of Parliament. These pensions were, in fact, the same as an estate, granted by the Crown, and the grant confirmed, by an Act of Parliament. There was not one of those grants which was not before Parliament at the time when it passed the two Acts under which they were now paid; that was, as he had already said, the time to object to them. Why should the question be now opened? Why should the House be called upon by the hon. member for Colchester to go into a most fruitless, a most painful, and he would say, a most disgusting inquiry? He did not understand that cheer from the hon. Gentleman opposite. Undoubtedly such an inquiry was not necessary, and under such circumstances it was one opposed to the good feelings of all mankind. He would suppose the case of military officers. Suppose such officers receiving pensions for years, under authority of Act of Parliament, and that then that House should call on them either to forfeit their grants or individually to substantiate their right to claim them. He was justified surely in saying, that such a species of inquiry would be painful to every well-regulated mind. The distinction which had been laid down by his noble friend, the Chancellor of the Exchequer, was perfectly compatible with the course which the Government adopted in the present instance. They were ready to admit, as his noble friend had admitted, that many of the pensions on the present list were such as could not be justified, and that if they were to come before them as original grants, they ought not to be granted; they were ready to admit that several of them had been given to persons who though originally in want of them, yet who having subsequently risen to superior station and wealth ought to have resigned them. That, however, was a matter of taste. The House had no right to dragoon any man into generosity. He held in his hand cases of a contrary description, which he believed had never been alluded to in Parliament. He was glad of the opportunity thus afforded him of adverting to them, especially as the first of them had been animadverted upon in the public prints, though not, he believed, in that House. Hon. Members probably recollected that, at the time the Pension-list was under discussion, the pension which stood under the name of "Charles Bathurst" was one of those alluded to in the public prints. He had the honour of receiving a letter from the hon. and learned gentleman resigning the pension in question, and he was sure that the House would excuse him for reading a document in every respect so highly honourable to his hon. and learned correspondent. The right hon. Gentleman then read the following letter:—

Sydney-park, Glocester, July 21, 1832.

My dear Sir,—There are two pensions, together amounting to 600*l.* a-year clear, held by myself and my wife, under the sign manual, which were granted by the late King in compensation for my surrendering the patent-office of Receiver-General of the Duchy of Lancaster, which my father, as Chancellor of that Duchy, had conferred on me in 1819. In the altered situation in which I am placed by his death, and succeeding to the property which he possessed, I think it proper to abandon those pensions, as I should have done the office, had it still subsisted in my hands. As the portion of the pension which, at my request, was conferred on my wife stands in the names of trustees, there may be some difficulty in point of form about that portion; as to which I will make inquiries; but in substance it is the wish of both to resign them from the present time, including the July quarter,

Believe me very sincerely yours,
CHARLES BATHURST.

His hon. and learned friend was well known to the members of his profession, and to many gentlemen in the West of England; and such an act of patriotic generosity on the part of his hon. and learned friend was just what those who were best acquainted with him would have expected. The other case to which he was about to advert was one that he believed had been, on a former occasion, alluded to in just terms of praise by his right hon. friend, the First Lord of the Admiralty. Of this he was sure, that if there was a pension to which hon. Members would not be inclined to object, it was one that had been granted to the brother of Sir John Moore. He held in his hand a letter which he had received from Mr. James Carrick Moore, resigning the pension which had been granted to him, and which he would read to the House, It was as follows:—

No. 1, Saville-street, Jan. 16, 1834.

Sir,—I do myself the honour of addressing you to request that you will inform the right hon. the Lords of the Treasury that I resign the pension of 1,000*l.* a-year, which was most graciously granted to me by his Majesty King George 3rd.

I have the honour to be, Sir,
Your most obedient and most humble servant,
JAMES CARRICK MOORE,
To the Hon. Thomas Spring Rice, &c.

The Lords of the Treasury, in entering this record on their minutes, felt it their duty not only to record the generous sacrifice thus made by the individual, but the circumstances under which the grant had been made by the Sovereign, and the claims of the great man in honour of whose services it had been given. Those circumstances and those claims were sufficiently well known to the country, and it was unnecessary for him to offer any tribute to the generous motives which had dictated such a sacrifice. He contended, that a forcible inquiry of the kind suggested, would effectually put an end to these instances of patriotic generosity. Suppose these sacrifices had been made after notice of this Motion had been given by the hon. member for Colchester? Would not everybody have immediately said, "Ah! yes; but Mr. Bathurst and Mr. Moore were dragooned into the sacrifice: they make it in fear of the Motion,"—would not the act lose all its gracefulness and honour? On those grounds, thinking that no case had been made out for this Motion, and thinking that the resolutions proposed by his noble friend, which stated what had been done, and what would be done, in the way of economical saving, met the whole merits of the case, he should oppose the Motion, and vote for the Amendment of his noble friend, the Chancellor of the Exchequer. Before he sat down he would just advert to one of the pensions in the present List—to which the hon. member for Middlesex adverted—he meant the pension given to

Mr. John Dalton, perhaps the greatest discoverer of our times, who might be termed the Newton of chemical science, and who, though not left to perish, was left to toil for a wretched subsistence, in the decline of his life, as an usher at a school, until the munificence of the Crown interposed, at the age of eighty, with a small and well-earned addition to his comforts and means of subsistence; adding a reward from the public to the fame which this great philosopher had, by his scientific attainments, procured for himself. If all pensions were equally well deserved, there would be nothing to object to. He had heard the acclamations with which the announcement of this pension was received at a meeting of the most learned men in Europe, and was unwilling, that such means of rewarding merit should be curtailed or withdrawn. Again, he begged to repeat his objections to this Motion, as being one calculated to lead to a fruitless discussion, and to a violation of rights sanctioned by the authority of acts of Parliament; and under such circumstances, he would heartily and sincerely vote for the Amendment proposed by his noble friend, the Chancellor of the Exchequer.

Sir *Samuel Whalley* begged to say, that if this Motion could be construed into a violation of contract, he for one should be ashamed to support it; but he regarded it in no such light. He was ready to admit the solemnity of the contract to which the hon. member for Cambridge had alluded. but he would observe, that this Motion did not go to take from the Crown any portion of the Pension-list at its disposal. The sole effect of the Motion, if carried, would be to inquire how the Crown, acting by the advice of its responsible Ministers, had dealt out that 75,000*l.* which had been left at its disposal in the way of granting pensions. He would repeat that this was merely a Motion for inquiry, to see how that money had been disposed of. He would call upon the House, as it respected the honour and dignity of the Crown, to assent to this Motion. The noble Lord the Chancellor of the Exchequer had acknowledged that the Pension-list was in such bad odour that the public confounded those who really had performed services to entitle them to the pensions they received, with those who had performed no services at all to entitle them to such a reward. It was therefore but due to the Crown that means should be afforded for discriminating between those two classes. He would beg his Majesty's Ministers to remember that it was upon this rock the previous Administration had split, and had gone out of office with the general reprobation of the country. If Ministers should that evening happen to obtain a majority in that House, they might depend upon it that out of doors the public feeling would be against them, and that they would fall reprobated, as their predecessors had been, by the whole country. On these grounds he would support the Motion of the hon. and learned member for Colchester.

Sir *Robert Inglis* contended that nothing could be more impolitic or unjust than for that House to violate the compact it had made with the Crown with reference to its Civil-list, and more particularly after having limited the power of the Crown in the granting of pensions hereafter to an amount equal to only one-third of the power formerly exercised. After this compact the Crown was no longer responsible for the distribution of pensions. He regretted that the noble Lord had not placed his opposition to the Motion upon higher grounds than those he had selected. He regretted that he had not made a stand against the popular cry against pensions, and at once declared, that the Crown possessed constitutionally the right to grant pensions as the reward of particular instances of science, merit, and personal distress, without giving any account of its motives or the grounds upon which such grants were made. The hon. member for Colchester had told them that that House would never be insensible to a case of real distress—that it would not fail to attend to such a case, and make adequate provision for it. For his part he had no such confidence in the good feeling of popular assemblies. Ever since the Chamber of Deputies in France had refused to vote the pensions of the widows of persons killed during the three days of July, his confidence in popular assemblies had much diminished. Within the last month that assembly had refused two pensions which the Minister would never have thought of refusing. Yet it was to such a body the hon. and learned member for Colchester proposed to assimilate that House as the organ of public opinion. If that House were to become the dispenser of pensions instead of the Crown, there would be no common principle of action upon which the grants would be made. It was, and had been from early periods, part of the functions of the Crown; and, at few periods, he must say, were those functions exercised with greater moderation than at present. He believed that on reference to the Pension-list, it would be found that the much larger portion were not only small in amount, but had been granted in cases of actual individual distress, and that distress was much aggravated by the publication of the names of the parties whom it was sought to benefit by the grants, which until a very recent period, it was ever considered the exclusive right of the Crown to make. He would not scruple to own his regret that the Crown in this respect was to be brought to submission to public opinion. The hon. member for Middlesex appeared to hold the opinion that the amount of the Pension-list was just as much part of the property of the country as any other fund which might pass or originate out of a vote of Parliament; but he would inquire on what principle it was, that the Civil-list was established, and whether or not it was, as he had before observed, a compact entered into between the Crown on the one hand, and the House on the other; and if so, he must contend that the House had now no right in any way whatever to interfere with it, because, in his judgment, any interference with the discretion of the Crown would not enable the House to act safely or the Crown to deal justly in these respects. If the noble Lord (the Chancellor of the Exchequer) had met the present Motion with his direct negative, he would have obtained at least as large a support as would now rally round him, and he should have been better pleased to have followed the noble Lord, but as the Amendment which had been moved appeared to him to present the least of two evils, that Amendment should have his support.

Lord *Morpeth* felt desirous of offering to the House a few observations in explanation of the vote which it was his intention to give on the present question —a vote which, without explanation, might apparently be contrary to the principles which he had ever maintained. He was most decidedly of opinion that no pension, pay, salary, or remuneration, should be given except in return for good services, or for merits of the highest and best order. Maintaining as he did, this to be the proper definition of pensions and remunerations, he turned to the list now before the House, and in the hands of almost every man in the country; and he did not want the speech of the hon. member for Colchester to convince him that in that list very many names would be found whose recommendations were the reverse of good, useful, or meritorious services. It might then be asked why he should now refuse his vote in favour of the Motion of the hon. member for Colchester. His refusal clearly did not originate in any allegiance to the present Ministers, because he believed it to be the case with all of that body, as most assuredly it was with himself, that so far as he knew, they had no political or private connexion with any name contained in the Pension-list now on the Table of the House. He declined to vote in favour of the Motion of the hon. member for Colchester, because he entertained a conviction that the Legislature were bound by two Acts of Parliament, and also by other arrangements, by which a reduced amount of pensions was consigned to the disposal of the Crown; an amount not more than becoming the head of a great constitutional monarchy. He felt with his noble friend the Chancellor of the Exchequer that the chief weight of the misdeeds complained of with reference to the Pension-list ought to be visited on those whose extravagance and carelessness had increased the list; but as he could not contemplate a recurrence of such proceedings in the present altered and improved times, he thought the evils of a rigorous investigation into past history, and the hardships which must arise from such an inquiry, would not be redeemed by anything like an equivalent benefit to the public. There was ample field for retrenchment and improvement without having recourse to an inquiry, the object of which was the mulcting of individuals. If the question before the House was, that past abuses should remain unrestricted and unabated, he should be ready to vote for full inquiry; but such was not the question, and, therefore, as his Majesty's Ministers had taken the course of men of honour, not shrinking from the obligation of standing in the front of that party, in screening whom they could have no interest, he felt that he should not act also as a man of honour if he hesitated or refused to join his vote with those of his Majesty's Ministers.

Mr. *Edward Ruthven* supported the Motion for inquiry; for it was highly wrong that parties nearly or actually connected with the aristocracy of the country should be supported in splendour and luxury at the expense of the most useful portion of the community—the labouring and working classes. On that ground alone he should be induced to support the Motion for an investigation into the nature of the claims of those whose names appeared in the list, not only before the House, but before the whole country. That list was, in fact, public property, and as such he would deal with it. He would take a very few instances, and those he would confine to Ireland. The first names he should mention were those of Eliza, Gertrude, and Mary Gossett. It appeared that in the years 1828, and 1829 pensions had been granted to them; as the period of the grant was so very recent, he presumed that if an inquiry should be decided upon by the House, it would not be very difficult to prove any services these ladies might have performed to the country by which they became entitled to the pensions of 122*l.* to Eliza, 95*l.* to Gertrude, or, in short, to the payment in the whole, within four or five years, to these ladies, of between 1,300*l.* and 1,400*l.*—for such was the sum which the labouring classes of the community had paid within the period he had mentioned to these Gossetts. [*A laugh*] Hon. Gentlemen might laugh at the names of these pensioners, but he complained, that when a Government could not afford, as was alleged, the expense of a survey of certain ports in Ireland, that any such sum should be paid to any young lady or gentleman. He also found that in the year 1826, a pension of 177*l.* had been granted to Sir Robert Hunter, and in the following year a further pension of 111*l.*, making a total of 288*l.* per annum. This gentleman had been a private physician to one of the Lords Lieutenant; but then he found no less a sum had been paid for pensions on precisely similar grounds than 3,348*l.* He (Mr. Ruthven) did not know whether the list before the House was to be considered as an Irish list, but he must remark that he found in it the name of George, Earl of Errol, with a pension granted in the years 1819 and 1820 of 276*l.* per annum and to the Countess of Errol a pension of the same amount. He should be glad to know what services this noble gentleman and lady had performed to the country to entitle them under these pensions to the receipt of no less than 7,066*l.* There was another name in the list to which he must also refer—that of the Viscountess Allen, who it appeared, was now dead, but who had received no less a sum in pensions than 9,065*l.* 3*s.* 4*d.* This might be an amusement to the House, but it was none to the labouring classes, who had to contribute to the fund from which this payment emanated. Though the gross amount of this payment was large, yet the pension itself was so small as scarcely to merit attention, but it afforded an instance of proof how great a burthen a small pension might eventually become. He was anxious for this inquiry, to see what value the country had received for these payments, and what had been the services of Harriet Arbuthnot to entitle her to the receipt of upwards of 9,365*l.* of the public money. He asked that inquiry as a representative of the people, and representing as he did a large constituency, who had a right to demand the fullest investigation. He therefore trusted that the Motion of his hon. friend would be acceded to by the House, and that an inquiry would be instituted with a view to show what were the real claims of the several persons in the list before the House to the pensions appended to their name.

Sir *Edward Codrington* was understood to say, that under all the circumstances, he not only wished for, but should vote for the inquiry. He was satisfied that in case it should be shown that these pensions had been honourably acquired by meritorious services, even the lowest classes in the community, as the labouring people had been termed by some hon. Members, would most cheerfully contribute to the fund. He called on the Government to draw a comparison in the Pension-list between those granted for naval and for civil services, and he could venture to say that the former would be found to have been much worse remunerated than any others. Though a man might serve twenty years in the navy, it was not until he entered a civil department under Government that he began to raise his title to a pension. He maintained that many unjust decisions had taken place in the naval department in respect to the remuneration for meritorious services. The present Motion for inquiry should have his most cordial support, and he hoped that in the result it would go forth to the public where the blame of the system was properly chargeable.

Mr. Secretary *Stanley* could not say that he thought his hon. and gallant friend who had just spoken had thrown much light upon the question before the House. That question appeared to him to be so simple, and to lie within so small a compass, that he thought he should best consult the convenience of the House and do full justice to the subject by saying a very few words. He must confess that he had heard with surprise his hon. friend opposite, the hon. Baronet the member for the University of Oxford (Sir R. Inglis), charge his Majesty's Government with having yielded to popular clamour. Surely his hon. friend must have known that if ever there was a question which offered a temptation to give way to popular clamour, and, he must add also, to strong feeling, a Government not controlled by a strong sense of imperative duty, by the dictates of principle and justice, but seeking to obtain a momentary applause, and to establish itself upon popular feeling, would have conceded the Motion now made. As, however, he had contended, when on the other side of the House, so should he now contend, that the House had no right to control the Crown in the application of the fund placed at its disposal by Parliament for a special purpose, even though that fund should have been dispensed by the Minister. In the year 1828 he was in a minority in that House with his noble friend, upon the Motion of the hon. member for Middlesex for an inquiry into the Civil-List. He had so voted upon the ground upon which the hon. Member rested his Motion, viz., that there was gross abuse and corruption in the management of the Civil-List, and that some check was necessary. It was not now alleged that, as regarded the present Government, there was any foundation for a charge of abuse and corruption. He felt no disposition to shrink from responsibility upon that head. His hon. and gallant friend (Sir E. Codrington) had, however, placed the question upon grounds precisely opposite to those of the hon. member for Middlesex in 1828. He had said, that he should vote for inquiry, not because he wished to do away with the pensions granted, but simply that the consideration of pensions should be made public. He (Mr. Secretary Stanley) objected to the proposed inquiry, not because he defended the grounds upon which pensions had been granted, but because, in his opinion the claims of justice to the parties, respect for the compact entered into with the Crown, and deference for all the feelings of honour and delicacy, debarred their going into the inquiry. He should be extremely sorry to take up the present Pension-list for the purpose of defending the various grants which appeared upon the face of it. He knew there were many that were objectionable, and some for which it would puzzle the ingenuity of any one not in the secrets of the former Governments to divine the consideration. But they had been granted on the faith of the Crown for life during the reign of the late King, and confirmed by Act of Parliament for the life of his present Majesty, and had thus acquired a legal character, and assumed all the power and authority which they could derive from an Act of Parliament, which nothing but a violation of every principle of justice and right could set aside. An hon. Member had said, that the single obstacle to inquiry was a mere Act of Parliament. Was this the proper mode of speaking of an Act which determined the right of individuals? Was this the example that a Reformed Parliament would present to the world—setting aside the Acts of former Governments — wielding, for the time, all the authority of Parliament? Was the House prepared to say, that no decision of the three Estates of the Realm should be binding unless it had the assent of the ruling power of the day? Let them look at the unvarying principle which, in this respect, governed all the proceedings of the House. From the lowest to the highest in the State, from the individual whose interests were affected by a Turnpike Road Bill, to the solemn Treaties made with other nations of the world, the principle was, that that which had been sanctified by the faith of Parliament was binding as to the rights of the parties affected, unless set aside with the consent of those parties. If the contrary principle was now to be established, how far would the House go back? Did they mean to examine the title of every man to his estates, however remote the period from which that title was derived. The principle recognised by the Constitution of this country was, that the title to a man's estate, whether obtained by fraud, by violence, by injustice, confiscation, wrong, or robbery, if it had the sanction of law and the authority of Parliament, could not be set aside, however objectionable the origin of the title. If it were now to become an established principle, that one Government might set aside the acts of another—once do that, and that House would no longer have any claims to be thought a protective body; the rights of property would be trampled upon; our engagements with other nations would not be respected, but would become the laughing-stock of the world; there would be no stability for anything, but the Government and the rights of individuals would fluctuate from day to day upon the breath of popular opinion. The hon. and learned member for Colchester, when he introduced the question, said, that he would confine himself to the subject immediately before the House; but, instead of doing so, the first sentence he uttered was a departure from the rule he had laid down. The hon. and learned Gentleman said, that in consequence of a firm adherence to the Pension-list, our predecessors were driven from office, and that this might be the case with respect to the present Administration. He replied, that if the present Government were driven from office in consequence of adhering to the principles of justice he should not repine, but he should consider it a disgrace if they retained office in consequence of a departure from principles, which he thought just. But this was not the question which led to the resignation of the late Administration. The vote which led to that event was on the Civil List. The Civil List was then under the consideration of Parliament, and strong opposition was manifested to the mode in which it had been brought forward. The Civil List as proposed by the late Government was no less in amount than 976,000*l.*, and in this sum was included 144,000*l.* as a permanent Pension-list at the disposal of the Crown. His friends and himself objected at the time to renew the Civil-List without inquiry; and at that time it was the right and in the power of Parliament to discuss the whole matter. They objected also to place so large a sum out of the control of Parliament. When his noble friend (Lord Althorp) brought forward the Civil-List he proposed that it should be only 500,000*l.*, and that the 476,000*l.* should for the future be placed under the control of Parliament. Now, he (Mr. Stanley) would ask the House how much of this 476,000*l.* had since this time been taken away? Many of the items formerly included in the Civil-List had been transferred to the Miscellaneous Estimates and a great number of them had been reduced, which could not have been the case if the Civil-List as brought forward by the late Government had received the sanction of Parliament. The Pension-list at the time he alluded to was 186,000*l.*; but the late Chancellor of the Exchequer proposed, that for the future it should be reduced to 144,000*l.* His noble friend proposed, that it should be 75,000*l.*; that was prospectively. Before he proceeded further he wished to allude to an argument which had been taken up by an hon. Member opposite, as to the mode of proceeding which he supposed the Government had adopted with regard to the Pension-list. The Report on the subject had been alluded to by the hon. and learned member for Colchester, who had very justly observed that such a course would be extremely absurd. It was obvious that if no new pensions were to be granted until the list had been reduced to 75,000*l.*, none would be given for many years. It was therefore proposed that the Civil-List should be modified, so as to leave it to the Crown to grant pensions to a certain amount as vacancies occurred in the present list. The list was, therefore, divided according to the letters of the alphabet, and it was arranged that part should be filled up, and that the remainder as they fell in should not be regranted. In consequence of this it had been suggested that all pensions in the latter class should be inquired into. How any hon. Gentleman could have arrived at such a conclusion was surprising to him. It appeared to him to be most absurd, because certain names began with the letters S or T that therefore there should be inquiry, and that all pensions the names of the holders of which began with A or B, should be exempt from inquiry. The hon. and learned member for Colchester very properly said, "Deal with all or none;" and this was the principle upon which his Majesty's

Government proceeded. His noble friend (Lord Althorp) undoubtedly, on a former occasion said, that this was an open question; but under what circumstances did he say so? At that time, in consequence of the multiplicity of business before Parliament, and in consequence of the late period of the Session, it was impossible to enter into any arrangement for the settlement of the Civil-List for the life of the Sovereign. His noble friend, therefore, got a vote of credit for that year to the full amount of the Civil-List as it was afterwards settled; and, until it was finally settled, he contended, that his noble friend was perfectly justified in designating it as an open question; but when the House settled a fixed revenue on the Crown it was no longer so. The House, when the Civil-List was before it, dealt in a spirit of liberality and justice, and then declared that, although the pensions were nominally to exist only during the life of the Sovereign by whom they were granted, yet there was an unquestionable understanding that they were to continue during the lives of the holders of them. Indeed, so anxious was the House to maintain this principle, that in the Report of the last as well as those of previous Committees on the Civil-List, it was expressly declared, that the parties were entitled to their pensions for life. Parliament then had always acted upon the principle upon which he grounded his opposition to the Motion; and he was of opinion, that, the principle was sound, wise, and just. He called upon the House not to look into particular evils which it was not in their power to cure—not to dive into forgotten scandal or idle slander—not to drag old and weak and infirm persons to plead their age as a privilege before a Committee of the House of Commons;—but to be contented with marking out a course for the future by which the evils now so justly complained of would be avoided. He trusted that the House would not consent in consequence of past excesses to sanction a principle which he felt was founded in injustice. His Majesty's Ministers brought forward a measure for the future regulation of the Civil-List, which received the sanction of Parliament. In that Measure principles were laid down with respect to future pensions. He trusted that the House would be satisfied that the course which it had been called upon to pursue was unjust and inconsistent with every principle of honour; and he sincerely hoped, that there was no Gentleman in that House who would be disposed, for the sake of momentary popularity, to sanction any opinion which he did not believe to be founded on justice and on honour. He called upon hon. Members who were returned by wise and just and upright constituencies, as he believed most of the constituencies throughout the country to be, who, at the same time that they were anxious for the strictest economy, did not desire economy founded on injustice or oppression, and that they would not hesitate to tell their constituents and the people of England, that they had done their duty, that they had laid down just principles for the future guidance of Government, and had taken care that Parliament should exercise hereafter an efficient control as to the granting of pensions; but that they had refused to look back at that which they could not cure, or to break engagements which had received the sanction of former Parliaments. He repeated, that they had put a stop for the future to all transactions of that nature which had been described to them. He would not stop to inquire whether the pensions had been justly bestowed upon the individuals who held them; but they had received the sanction of Parliament; and he was sure that it would be inconsistent with honour and sound policy to take any steps with a view to their resumption. In conclusion, he could not consent to a Motion which he conceived to be fraught with injustice, and which, if he supported, he felt it would be a dishonourable support, because it was not just nor wise.

Mr. *O'Connell* did not rise to answer the speech of the right hon. Gentleman, but merely to supply a deficiency in his speech, namely, to state what the question before the House really was. The question was, whether the House would inquire into the pensions in the list on the Table. It was not whether they would strike off one of those pensions. The only question was for inquiry. What was the answer? The only answer given was by the right hon. member for Cambridge, who said, that it would be disgusting to inquire. He contended that even this was a ground for inquiry. What was there disgusting? The reasons for granting the pensions. Did the right hon. Gentleman call these reasons disgusting?

Were the people of England to pay money for reasons which excited disgust? He would at once tell the Reformed Parliament, that they were not what they called themselves if they did not get rid of these pensions. The right hon. Gentleman said, that the pensions were held by contract, and that length of possession prevented the House exercising control. The right hon. Gentleman ought to know that length of possession did not justify wrong possession. He would say, that there never was a greater sophism than that drawn by the right hon. Gentleman from the Acts of Parliament. The Acts of Parliament only said, that the King should have 75,000*l.* to pay pensions. It did not say that one shilling more should be paid, or that the House should be prevented from inquiring into the nature of pensions granted in former reigns. He did not say, that the money was distributed to corrupt Members of Parliament; but would any man assert that, if suspicion was entertained that it was employed in that way, it would not justify inquiry? The House had set at rest the matter as to the grant of 75,000*l.*; and it was their duty to consider all pensions from the commencement of the reign granted *de novo.* Beyond the 75,000*l.* everything was open to inquiry; and if they were truly the Representatives of the people, they would remove from the people this most just cause of complaint. The right hon. Gentleman dwelt on the evils of violating contracts. He (Mr. O'Connell) agreed with him that it would be a very great evil to violate a contract. But he denied that any contract existed, and he contended that it was in the power of the House of Commons that the name of every person to whom a pension had been improperly granted should be struck out. The right hon. Secretary for the Colonies alluded to a Motion made in 1828, for an inquiry into the Pension-list. [Mr. *Stanley*: The Motion was for Returns.] Were the returns of names only for the purpose of gratifying curiosity it would have been an idle waste of time, but it was intended to follow that up by inquiry. The far greater portion of the names on the Pension-list were there previous to 1828, and, of course, that motion had reference to those pensions. The arguments now brought forward against the present motion would have been equally applicable to the proposition supported by the right hon. Secretary and his present colleagues. If the right hon. member for Cambridge had then held office, he might then have pleaded with the same tragic air and plaintive tone as the right hon. Gentleman had used that night for the Pension-list of his gracious Majesty George the Fourth. The Reformed House of Commons had fallen in the estimation of the people, and it could only be raised by a great reduction of the public expenditure. He would not indulge in any invidious observations; but he was willing to give credit to the right hon. Baronet opposite (the First Lord of the Admiralty) for having exerted himself to cut down the expenditure in the department over which he presided; and if he (Mr. O'Connell) did not vote last night for the reduction of the number of seamen, it was because, in the present state of affairs, he did not think it wise to do so. The right hon. Baronet had been obliged to cut down the salaries of his clerks, writers, and shipwrights, until he had hardly left more than skin and bone. Under these circumstances, was it proper that the Sophias and the Harriets should have pensions lavished on them? Then he perceived the name of Ashurst, who had held a pension ever since 1788. He should like to know what public services this person had rendered? He had looked over the Irish Pension-list, and he had no hesitation in saying, that there was not one amongst them which had been granted for public service. Oh! yes; there was one to the three daughters of Admiral Rodney, who had 56*l.* a year each. These, he admitted were well deserved. He would not cut down the pensions of any who had served their country. He would not strip the families of those who had successfully fought our battles of the paltry pittances allowed to them. Talk to him of honour and honesty! They were not paying the pensions to those who had served their country: those who had fought our battles were left destitute; but those who cajolled, and cringed, and flattered, got their pensions. He was told that these pensions were held by law. If the law was such as had been described, it ought at once to be altered. He called upon the House to support inquiry, and there could be no doubt at all that where a pension was well earned it would be continued. The right hon. member for Cambridge said, that they ought to consider, that every thing had been done, as there was a prospective provision against future abuses. This might very justly be called a *paulo post futurum* argument. The right hon. Gentleman quoted Edmund Burke, who said, that hours and days might be of importance to individuals, but, they were of no consequence to nations; the right hon. Gentleman seemed disposed to act on that principle, and to think it would be equally satisfactory whether the pensions were cut off now or 100 years hence. That might suit the right hon. Gentleman but it would be a mockery of the expectations of the suffering people.

Sir *Robert Peel* said, that his personal feelings would induce him to support the Motion, after the charges, which had been brought against former Governments, implying, that the exposure of their acts would be followed by the severest condemnation. He gave credit to his Majesty's Government for their disinterestedness in opposing the Motion. He believed that their conduct was influenced by public principle; for the present Government could have no personal motive to oppose the inquiry. When he heard former Governments charged with acts of the grossest corruption, and with having been influenced by motives of the most improper character, he felt called upon to answer these accusations. He must appeal to those Members of former Governments who were also Members of the present Government, whether any such iniquitous proceedings as they had that night heard described, had ever, to their knowledge, been committed. He was satisfied that, if the list of pensions were inquired into, the result of the inquiry would not, in the slightest degree, substantiate such a charge. He positively denied that the result would prove any iniquities or offences. ["*Inquire then.*"] No, he would not inquire. He would not inquire, because he would not allow,—and he had no hesitation in saying so,—the dictates of personal or private feeling to overrule the objections which, on public principles, he felt to controlling the prerogative of the Crown in every individual instance, by the supervision of that House, or to commit acts of individual injustice towards the parties in receipt of pensions. He would venture to say, that an accurate examination of the Pension-list would prove, that parliamentary corruption had never been the object in the grant of a single pension. Of course, if he were asked whether he meant to contend that he could vindicate every single pension in the whole list, he could only reply, that he had not gone through the list, so as to be enabled to speak of every individual case; but he would say, that there were not five exceptions to the rule, that the desire of acquiring parliamentary influence had not been the motive on which the bounty of the Crown had been awarded. To look over this list would convince every man that there had been no such object in view. He believed there were upon the list pensions,—and considerable pensions too,—granted to persons who had the decencies of high rank to support, but who had not the means of supporting them. If the House chose to establish a new rule for the future, let them establish it; but the grant of these pensions had been made with an implied understanding, on the part of Parliament, that such was to be the application of the money during the lives of the parties. Where a person of high family, and distinguished rank, had been without the means of supporting the high dignities of his station, the Crown had felt itself justified in granting a pension to that person, fully relying on the acquiescence of Parliament, and convinced, by its universal silence, that that was a legitimate application of the money. They would find in the Pension-list many honourable grants to the relatives of persons who had performed great public service, but who had passed their lives in opposition to the Government. He would admit, that they might find instances in which there had been, perhaps, a lavish reward of public service. He would not deny, that there might be instances in which services had been rewarded more generously than they would be at the present day. Let them adopt a new line for the future, if they thought fit; but it would be an act of injustice,—it would be an act of real iniquity,—to visit the consequences of a change of opinion in the House upon those who had been in the receipt of these pensions for years, on the implied, or rather on the direct, faith of Parliament,—that it would be derogatory to the character of this House, to deprive those individuals of their pensions. There had been much—and not very becoming or decorous—levity, exhibited with respect to the names of the persons on this list, as if the mere mention of the grant of a pension to a lady were in itself sufficient to prove that no public service had been rendered for it. Why, who did not see, and was it not perfectly obvious, that, although public service might not have been rendered by the individual lady, the highest public service might have been rendered by her relations; and might they not have implored the Government not to reward their services by direct pecuniary grants to themselves, but to reserve their liberality for those who had claims upon their kindness and assistance? Was it well, then, to drag into the discussion, in the absence of the parties, the cases of the ladies whose names had been mentioned, though that afforded not the slightest surmise or suspicion that the grant connected with the name had not been honourably made? The hon. and learned member for Dublin said, that he did not believe that there was a grant made to any one family in Ireland which could be justified. So far as he was personally concerned, there was nothing he should desire more, or, to say the least, there was nothing he should deprecate less, than being called upon to answer for every pension with the grant of which he was connected. He would turn to names of which he knew something, and which would, probably, excite the most attention. He would take a case which had been already mentioned, —the names of Elizabeth and Gertrude and Mary Gossett. Why, suppose they were the sisters or the daughters of a public officer, who had rendered great services to his country. He would take a case, however, with which he was more immediately acquainted—the case of seven ladies of the name of Hanfield, to each of whom a pension of 88*l.* a year was granted; and what was more, to increase the indignation of the House, he would tell them that these ladies were all sisters! He would give the House their history. When he went to Ireland, he found, in the Commissariat Department, an officer of the name of Colonel Charles Hanfield, of whom he knew nothing previously, whose name he had never heard of until he went to Ireland; but who was an officer distinguished by his extraordinary bravery during the American war. He found Colonel Hanfield holding the situation of Commissary-in-Chief; he had constant intercourse with him; and in all his life he never met with a man, in any public department, actuated by so sincere a desire to promote the strictest well-regulated economy. He must say, that it was a very rare thing to find an officer of this description in any public department. He said to that gentleman, "In what manner can the Government reward your services?" Colonel Hanfield replied, that he had seven daughters, for whom he had no means of making any provision; that he begged to waive all claims on his own behalf; but he entreated Government to make some provision for those seven daughters, who would be left destitute in the event of his death. Instead of going to Parliament and asking for a vote, the government of that day said, "We have, placed at our disposal, a sum of 12,000*l.* a-year; let us appropriate part of that sum, amounting barely to 700*l.*, to making provisions for those ladies;"—and there they were on the list,—Catherine, Hannah, Margaret, and so on. He asked the House, whether it were not possible for many females, bearing the same name, to receive a public grant of this description with perfect propriety; and whether the grant itself might not be perfectly honourable? The same might hold good with respect to provision for families in distress. If they would establish a new rule, let them do so: but, until that were the case, it could not be held, that grants of pensions to families in distress involved a misappropriation of the public money. What was the distinct admission, or rather the triumphant declaration, of Mr. Burke's Reforming Act? Why, it recited that "Whereas it is no disparagement to any person to be relieved by the Crown." Was it decent, then, towards the public, years after these pensions had been granted,—was it decorous,—that, after the Crown had acted on their express declaration, that it was no disparagement to be relieved by its bounty,—was it decent, to call upon the objects of the munificence of the Crown, whatever might be their age, their infirmity, or their distress, to make out the original case on which their pension was granted? Or, could the respect, —he would say it without reserve—for the Monarchy be maintained, if they were thus to overlook every Act of Parliament and every engagement of the kind which might have been entered into when they themselves had committed to the Crown the discretionary power of giving that relief? The House of Commons had never yet maintained that they had a right to control the Crown, every year, in the distribution of this sum. He admitted that, if there were any case of corruption to be shown,—if they could prove that there had been any misapplication of this vote for the gratification of mere personal objects on the part of a Minister, and, above all, for the purpose of corrupting a Parliament,—the Minister would be bound, in his responsibility, to enter into explanation, and submit to inquiry; but it had never yet been maintained that Parliament had a right, after committing a certain sum to the Crown, to control it in the exercise of its bounty. If such a doctrine had ever been maintained, why had not Parliament called every year for an account of the persons to whom that bounty had been extended? He would prove, that this was the opinion of Parliament at the time they passed the Act of 1792. It was found, at that period, that the Pension-list had swelled to an extravagant amount; and, in the Act which was passed for the purpose of reducing it to a certain extent, there was the following express provision:—"That no pension shall be granted of more than 600*l.* in any one year, until the Pension-list shall be reduced to 95,000*l.*" Observe this distinct provision,—"and until the Pension-list be reduced to 95,000*l.*, the names of those, to whom pensions are granted, shall be annually laid before Parliament within twenty days after the meeting thereof." After the Pension-list, however, had been reduced within these limits, the Crown was to be free from the obligation of laying these names before Parliament. Could there be a more convincing proof of the intention of the Parliament of that day? Could there be a doubt that they intended to give a discretionary power to the Crown, in respect to grants of pensions to be exercised, subject to responsibility in case of abuse; but a discretionary power which it was never intended to control by the specific and constant superintendence of Parliament? For these reasons, thinking that there were very few cases, indeed, in which the House of Commons would itself wish, even on account of a lavish grant of the public money, to quarrel with its amount;—believing that common justice to individuals required that the House should maintain good faith towards them,—and thinking that, after the Acts which they had passed, it would imply an unjust disposition on the part of the Crown, and would be derogatory to its honour and dignity, now to review in detail, through the medium of a Select Committee, every act of the Crown exercised under those enactments of the Legislature,—he, for one, whatever his private interests might be, would, on public principle, coincide with his Majesty's Government in discountenancing and resisting the Motion.

Mr. *James Kennedy* supported the Motion. The Government was by no means in an enviable situation, as it was forsaken by its old friends, and was looking for support, on the present occasion, from those who had been its deadliest opponents.

Mr. *Halcombe* said, that he should not have trespassed on the time of the House at that late hour, but that he wished to express to the House the extreme difficulty he felt in making up his mind to vote for the Amendment which the noble Lord had proposed. He must say, that he most cordially concurred in the sentiments which had been expressed by the right hon. Gentleman, the member for Cambridge, and that he should give his most strenuous opposition to any such Motion as that brought forward by the hon. member for Colchester. To concede to such a proposition, would be to commit a gross breach of honour and trust, and to be guilty of a direct infringement of the prerogative of the Crown. But he could not think the House would agree to the Motion of the hon. member for Colchester. Although he certainly should not support the proposition of that hon. Gentleman, he was still in difficulty as to whether he would be justified in voting for the Amendment of the noble Lord, for he saw, or thought he saw, insuperable obstacles in the way of his supporting that Amendment. The terms of it were not, he apprehended, generally known to hon. Members, and surely, before they proceeded to a division on the question, they ought to have some knowledge of it. If he understood the Amendment rightly, it went to pledge the House to advise the Crown to grant pensions only to those who had rendered personal services to his Majesty, who were eminent for their public services, or who had distinguished themselves by their scientific labours. He had taken some pains to understand the Amendment; but if he put a wrong interpretation upon it, he should be happy to be set right. He, however, believed, that he was not wrong in the construction which he had put upon it, and this was proved by the surprise and regret which had been expressed by the hon. Baronet, the member for Oxford, at the course which the noble Lord had taken. All he desired was, that he should not be entrapped into a vote, and, therefore, if the noble Lord would say, that his proposition was not intended to interfere with the prerogative of the Crown, he should be satisfied. The Crown had a distinct right to distribute its favours how and where it pleased, and unless he was told, that the Amendment of the noble Lord would not in any manner curtail the power of the King in dispensing its bounty in respect of granting pensions, he could not give it his support.

Mr. *Hardy* was anxious to give a vote on the present occasion that would be satisfactory to his own conscience, and at the same time prevent injustice being done to any human being. He now stood forward as the advocate of the honour and fair fame of those who were involved in the inquiry for which the hon. member for Colchester sought. It was not by this Motion that odium could be thrown upon them. They would suffer more by the ambiguous attempt of the noble Lord to stifle inquiry, than by any other means that could be suggested. The rejection of the Motion of the hon. member for Colchester, would lead to the conviction, that there was something foul and disgusting in the Pension-list, which it would be unsafe to disclose; but he denied that, and stood forward there to vindicate the major part of the persons named in that list, from the aspersions which had so unjustly been cast upon them. He had the honour of knowing one person whose wife enjoyed a pension; and he could, for him, and he might add, for the great majority placed in the like circumstances, assure the House, that they desired nothing so much as a full and fair inquiry. A few persons might receive pensions which they had not deserved; but although a disgusting case might here and there be found, was it just that ninety-nine persons should suffer undeserved imputation, because of the turpitude of one individual? Inquiry would prevent any such injustice; and if he wanted an argument in favour of this assertion, he had only to refer to the proceedings that had occurred a few nights ago in consequence of a charge made against a Member of that House. The inquiry then instituted had terminated satisfactorily, and he had no doubt, if the Motion of the hon. member for Colchester were now agreed to, a similar result would be obtained. Granting the inquiry was only an act of justice to those whose characters were impeached; but the right hon. Gentleman, the member for Cambridge, had said, that the House had not the power of granting an inquiry, which surely could not be the case. He must complain of the want of candour which the noble Lord (Lord Althorp) had exhibited in the course which he had pursued. Instead of meeting the proposition of the hon. member for Colchester, with a negative, as he ought to have done, the noble Lord had come forward with a sort of promise, that if the Motion was abandoned, no pension should in future be granted that was not founded upon merit. According to the statement of the right hon. Baronet, the member for Tamworth, it was plain, that pensions had been granted to parties for no other purpose, than to enable them to cut a figure in the world beyond that to which their own private fortunes entitled them; and however he might oppose any interference with pensions granted for meritorious services, he could see no reason why those pensions he had described should not be at once abolished. He did not wish that those who enjoyed pensions with clean hands and spotless honour, should suffer the least annoyance; and it was for their sakes, and for their sakes alone, that he should support the proposition for inquiry; being convinced, that investigation would only set them right with the public, and furnish a much better security for the proper distribution of the Royal bounty, than the abstract recommendation of the noble Lord.

Mr. *Harvey* observed, in reply, that the long and interesting discussion in which they had been engaged, had given rise, as might have been expected, to a variety of suggestions, some bearing fairly and fully upon the subject, some glancing lightly and partially upon it, and some not approaching it at all. The right hon. gentleman, the member for Cambridge, indeed, had reduced his opposition to the Motion, to a shape perfectly simple and intelligible, but not very applicable. The right hon. Gentleman had told them fairly that whatever objections they might have entertained against this List from prejudice, or whatever errors or offences they might have detected in it by inquiry, yet were their lips closed by acts of their own. The right hon. Secretary appealed to two Acts of Parliament as an estoppel to all further inquiry and to all effort upon their part, and declared to them, that however baseless and disgusting any or all of these pensions might be, however degrading to the characters of those who might receive, and however insulting to the feelings of those who were compelled to pay them, yet that, because that List had received the sanction of an unreformed Parliament, it was conclusive, notwithstanding, that they, the Representatives of a reformed constituency, were sent to that House mainly to correct evils of this description. He denied that the House stood in this position. He reminded them that these Acts had been passed at a period when the friends of the people in that House were unwilling to bestrew the path of the Ministry with difficulties in addition to the many against which they had then to contend. He should feel inclined to deny the position, even if the Acts had been passed after the gravest deliberation—if they had received the solemn sanction of a Parliament composed of men deeply imbued with the feelings of the people. But as it was, he could not conceive that any obligation rested upon a Parliament pledged to economy,—pledged to inquiry into every payment not justified by necessity, and sanctioned by individual merit. He begged to ask the hon. Gentleman if those pensioners stood in a better point of view now than they did in the reign of George 4th? Were they more deserving—more renowned—more pure—more virtuous? No! All that Government could claim for them was, that they were no worse. Had not the House then the same right to deal with them now, that it had when the Government was at that side, when the noble Lord and his friends were in opposition? But when the hon. Member behind him (Mr. Hume) moved in 1828 for an inquiry into this List, how was it met by the right hon. Baronet (Sir Robert Peel), who had that night so consistently supported his own doctrines now put forward by his old opponents from the ministerial benches? The right hon. Baronet spoke of these pensions as a sacred fund, accessible only to the Royal hand, to be distributed by the Royal will, and in such sort as the Royal feeling might direct. Oh! it was to be sacred from the vulgar scrutiny of the public, and the meddling interference of Parliament! But what said the noble Lord, the Chancellor of the Exchequer? He said that the hon. member for Middlesex did not desire to bring the House into unnecessary conflict with the Crown, but simply to know if certain sums of money were not improvidently disposed of. And then the noble Lord proceeded to say,—in that plain, unadorned, downright style, for which he is remarkable, and which is far more forcible upon most occasions than the most exquisite eloquence,—if there was nothing discreditable in the expenditure, wherefore was it that Government resisted the inquiry? The noble Lord convinced him. He voted with the noble Lord; and were they now to conclude, that the conduct of the noble Lord upon that memorable occasion was only a passage in the tactics of opposition? Were the doctrines which the noble Lord had advocated when out of place to be flung aside like infected garments, the moment he made the haven of power? If not, why was it that he now seemed to regard it as his duty to cherish and defend that Pension-list, of which he had strenuously demanded an investigation? The right hon. Secretary for the Treasury had certainly displayed a most laudable zeal in the same good cause. Now, it was true he was not the representative of the Corporation of Cambridge, but if not now, he would be so hereafter. The Corporation would see that they had altogether mistaken him; a member of a Government half-Whig, half-Radical, he was naturally regarded with apprehension and distrust. He was looked upon most probably, as an ally of those travelling Commissioners who went about the country seeking whom they might devour; hunting out every minion of Corporation corruption, that they might drag him into light, and expose him to the public contempt! But now, after the hon. Gentleman's vigorous defence of vested rights, the Corporation of Cambridge would at once perceive their error, and joyfully exclaim, "This is the very man for us!" "This is just what we wanted—a representative who will see in every alderman a peer, and in every common-councilman a member of Parliament." He disclaimed for himself, and for those who supported him, all ungenerous or unkindly feeling towards persons on the Pension-list. If there were any on that List either so extremely young, or so stricken in age, that their helpless condition might render them objects of solicitude to the great, he was satisfied to permit them to be excepted from the proposed inquiry. And with respect to cases of another kind, he was quite sure that if there could be raised in favour of their exception from investigation anything which, if modesty might conceal, generosity would yet suggest, the Committee would receive it cheerfully. He remembered that the present Earl Grey, when a Member of that House, opposed a motion brought forward by Mr. Huskisson, touching the amount of pensions paid to retired Chancellors, and the time of their services. The motion was made with the view of attacking the pension of Mr. Ponsonby, who had only held office for six months under the Whigs. But upon this question, Lord Howick observed, that Mr. Huskisson was not the best man in the world to resist improper grants of the public money, when so many had been made to himself and his connexions. Now, if he (Mr. Harvey) were to describe the pensions of the most obnoxious persons upon the list, he would not desire to employ other words than those addressed by the present Earl Grey to Mr. Huskisson upon that occasion, for he proceeded to say, "Got by what means the Lord only knew how, and for what, the Devil only knew." If he were to apply such language to the pension of anybody, it would be declared a piece of gross vulgarity and low abuse. But yet Lord Grey was not ashamed of the expressions. Why, they embodied the sound Whig doctrines upon the subject; and when Lord Howick, in the excess of his virtuous indignation against undeserved pensions to the connexions of an individual in power, used these words to one who was present—to a man, and one so capable of defending himself as Mr. Huskisson,—what would he not have said if he had to deal with the persons now upon that list, whose pensions were less capable of defence? It had been said, that these pensions were only for the life of the parties receiving them. But there was such a tenacity of life among these old dowagers, that, like the possessions of the Church, no time could destroy them. Their years, like beauty, never fade. It was asked, too, what good could result from an inquiry into the grounds of their pensions? for it was said, that all who could speak to that point—all who had anything to do with these women in early life, whether in court or camp, had been long since extinct—long since gathered to their fathers; and if there was a Committee, whom was it to examine? They ought to examine the receivers of these grants. It appeared to him, that the person in possession of the title deeds was the fittest to prove a title to the money obtained, and to justify the ground on which the grant was made. But if they were so eager for the interest of the persons who received the money, might he not remind a Reformed Parliament assembled specially to protect the people's purse, whether there were not a payer as well as a receiver—whether there were to be no feeling for those to whom they had said they sympathized with them? "Only send me to Parliament," was the frequent appeal at the hustings, "and I will go to the root of the evil; for, of all the crying sins and grievances which afflict you, none affects me so deeply as that which I feel when I look around and see your hardy and honest features and robust forms, and think of the difficulties with which you have to struggle to secure the common necessaries of life, while, at the same time I can scarcely walk the streets of London without danger of being run over by the glittering carriages of the pensioned paupers of the State, to whose luxurious indolence you are obliged to contribute from the hard-gotten earnings of your laborious industry;—return me to Parliament, and the first thing I shall do will be to raise my voice, and record my vote against such a shameful state of things." What was to be said for the amendment? It was, in his view, the best speech that had been made, or could be made for the original motion. It was a contrivance to soothe the qualms of tender consciences. The adherents of the Government, hearing that the Motion was to be opposed, had hurried in dismay to the Treasury, and addressed the noble Lord something in this strain:—"You know from experience we will go nearly all lengths with you—but oppose this motion by a direct negative we dare not—it would end our political lives, if not our natural existence; for God's sake get up something, do suggest something,—no one knows better how to do it than you,—propose something,—never mind what,—the less intelligible the better—in the shape of an amendment, promising prospective reformation. We can tell the people it means more than we understand, and that it is full of benefit to them." That, it was agreed, should be done; and done it was;—and a pretty thing it was. The noble Lord said, that as far as the Motion went, there was something inherently sound in it; it was impossible to give it a cold, heartless negative. "We must do as the Whigs always do—deal in promises. It is easy to give promises; they form a fund which never fails, on which you, my friends, may draw without fear of exhaustion; and which possesses, as it were, the power of eternal renovation. All we ask is, don't call upon us to redeem them." That was enough, the amendment was proposed—it was much applauded; and this was the delusion to be practised on the nation. He might enter into a particular examination of the List, and select divers names, and hold them up to the scorn of the people, and scandal of the parties. But he would not do so; it might be deemed unkind. For the present, it might be presumed, that every pension had been granted for solid commendable considerations; that national utility, and personal merit, had been the sole recommendations. He could not doubt that the result of inquiry would be to fortify that impression. He, therefore, asked the House, in the name of those who were in that List,—in the name of all that was venerable in years, or lovely in beauty,—to concede this inquiry; and, above all, he entreated them, as the sincere friends of reform, not indeed yielding to vulgar clamour or unmeaning abuse, but respecting the intelligence of the country, to support the Motion; remembering their promises—redeeming their pledges—and, above all, insulting not the sorrows of the poor,—nor provoking the just indignation of the people.

Lord *Althorp*, in explanation of what he said in 1828, observed, that the hon. member for Colchester had not read the whole passage from his speech, but had only quoted as much as suited his (Mr. Harvey's)purpose. He had not said, that those pensions should be taken away which had been given improperly, but that those persons who had given such pensions should be called to account for it. The hon. Member had said he (Lord Althorp) had convinced him on the occasion of the debate in 1828, and, had added that he (Mr. Harvey) had given him his vote. It was very satisfactory to him to learn that he had convinced the hon. Gentleman, but it would have been still more satisfactory to him if he could have found his name in the list of the division.

The House divided on Lord Althorp's amendment:—Ayes 190; Noes 182: Majority 8.

List of the AYES.

ENGLAND.

Althorp, Lord
Anson, Hon. G.
Attwood, M.
Baring, F. T.
Baring, H. B.
Barnett, C. J.
Bell, M.
Bentinck, Lord G.F.
Bernal, Ralph
Bethell, E. R.
Blackstone, W. S.
Bolling, W.
Bouverie, Hon. D. P.
Brougham, W.
Bruce, Lord E.
Buller, J. W.
Buller, E.
Bulteel, J. C.
Burdett, Sir F.
Buxton, T. F.
Byng, G.
Byng, Sir John
Carter, J. B.
Cartwright, W. R.
Cavendish, Hon. C.
Cavendish, Lord
Cavendish, Hn.Col.H.
Clive, Edward B.
Clive, Hon. R. H.
Crawley, S.
Cripps, J.
Darlington, Earl of
Davenport, J.
Denison, J. E.
Donkin, Sir R.S.
Duffield, T.
Dundas, Sir R. L.
Ebrington, Viscount
Egerton, W. T.
Ellice, Edward
Evans, William
Finch, George
Fitzroy, Lord C.
Foley, J. H. H.
Forester, Hon. G. C.
Forster, Charles S.
Fox, Lieut. Col. C.
Gladstone, W. E.
Gordon, R.
Graham, Sir J. R. G.
Grant, Right Hon. R.
Grey, Hon. Colonel
Grey, Sir G.
Gronow, Captain R.H.
Halford, H.
Hanmer, Sir J.
Harcourt, G. V.
Hardinge, Sir H.
Harland, W. C.
Herbert, Hon. Sidney
Heron, Sir R.
Herries, Rt.Hon. J.C.
Hodgson, John C.
Howick, Viscount
Hope, H. T.
Inglis, Sir R.
Irton, S.
Johnstone, Sir J.
Keppel, Major G.
Kerrison, Sir E.
Knatchbull, Sir E.
Labouchere, H.
Lambton, H. N.
Lemon, Sir C.
Lincoln, Earl of
Littleton, E. J.
Lumley, Viscount
Lushington, Dr. S.
Lygon, Colonel
Mangles, J.
Marjoribanks, S.
Marsland, T.
Maxfield, Capt.
Mildmay, P. St. John
Milton, Viscount
Molyneux, Lord
Morpeth, Viscount
Mostyn, Hon. E.M.L.
Nicholl, J.
Norreys, Lord
North, F.
Ord, W. H.
Ossulston, Lord N.
Penleaze, J. S.
Paget, F.
Palmer, Robert
Palmerston, Viscount

Pechell, Sir S. J. B.
Peel, Rt. Hon. Sir R.
Peel, Col. J.
Pendarves, E. W.
Peter, W.
Philpotts, J.
Pigot, R.
Pinney, W.
Ponsonby, Hn. W. F. S.
Pryme, G.
Reid, Sir J. R.
Rice, Rt. Hon. T. S.
Ridley, Sir M. W.
Robarts, A. W.
Rolfe, R. M.
Rooper, J. B.
Ross, C.
Russell, Lord John
Russell, Lord C. J. F.
Russell, C.
Russell, W. C.
Ryle, J.
Sanderson, R.
Sandon, Viscount
Scarlett, Sir J.
Scott, Sir E. D.
Skipwith, Sir G.
Smith, John
Smith, R. V.
Somerset, Lord G.
Spankie, Serjeant
Stanley, Rt. Hon. E. G.
Stanley, Hon. T.
Staunton, Sir G. H.
Stewart, P. M.
Stuart, Lord Dudley
Tayleur, W.
Thompson, P. B.
Thomson, Hon. C. P.
Throckmorton, R. G.
Tower, C. T.
Townley, R. G.
Tracey, C. H.
Trevor, Hon. R.
Verney, Sir H.
Vernon, Hon. G. J.
Vyvyan, Sir R.
Willoughby, Sir H.
Winnington, Sir T.
Wood, W. G.
Walker, R.
Ward, H. G.
Warre, J. A.
Waterpark, Lord
Wedgwood, J.
Weyland, Major R.
Whitbread, W. H.
Wrottesley, Sir J.

SCOTLAND.

Adam, Admiral C.
Agnew, Sir A.
Arbuthnot, Hon. Gen.
Bruce, Cumming
Dalmeny, Lord
Elliott, Hon. Capt. G.
Ferguson, Capt G.
Fleming, Hon. A. C.
Grant, Rt. Hon. C.
Hallyburton, Hn. D. G.
Hay, Col. A. Leith
Jeffrey, Rt. Hon. F.
Johnstone, J. J. Hope
Loch, J.
Mackenzie, J. A. S.
Macleod, R.
Murray, J. A.
Stewart, R.

IRELAND.

Browne, John
Browne, Dominick
Castlereagh, Viscount
Christmas, J. N.
Corry, Hon. H. L.
Fitzgibbon, Hon. R.
Gladstone, T.
Hayes, Sir E.
Hill, Lord Marcus
Jones, Capt. T.
Knox, Hon. Col. J. J.
Shaw, F.
Talbot, J.
Verner, Col. W.
Wallace, T.
Young, John

TELLERS.

Duncannon, Viscount
Wood, C.

List of the Noes.

ENGLAND.

Aglionby, H. A.
Attwood, T.
Baillie, J. E.
Bainbridge, E. T.
Barnard, E. G.
Beauclerk, Major
Benett, J.
Bewes, T.
Bish, T.
Blackburne, J.
Blake, Sir F.
Blount, Sir C. B.
Boss, J. G.
Bowes, J.
Briggs, R.
Briscoe, J. I.
Brocklehurst, J.
Brotherton, J.
Buckingham, J. S.
Buller, C.
Cayley, E. S.
Chaytor, Sir W.
Chichester, J. P. B.
Clay, W.
Codrington, Sir E.
Collier, J.
Crompton, J.
Curteis, H. B.
Curteis, Capt.
Davies, Col.
Dawson, E.
Dillwyn, L. W.
Divett, E.
Dykes, F. L. B.
Evans, Col.
Ewart, W.
Faithful, G. G.
Fancourt, Major
Fenton, J.
Fielden, Wm.
Fielden, John
Fleetwood, P. H.
Fort, J.
Fryer, R.
Gaskell, Daniel
Gisborne, Thomas
Godson, R.
Goring, H. D.
Grote, G.
Guest, J.
Gully, J.
Halcombe, J.
Hall, B.
Handley, W. F.
Handley, B.
Hardy, J.
Hawes, B.
Heathcote, J. J.
Hill, M. D.
Hodges, T. L.
Hughes, H.
Hudson, T.
Humphery, J.
Hurst, R. H.
Hutt, W.
Ingham, R.
Jervis, J.
Kemp, T. R.
Kennedy, J.
King, E. B.
Langdale, Hon. C.
Langton, Col. G.
Leech, J.
Lefevre, C. S.
Lennox, Lord W.
Lennox, Lord G.
Lennox, Lord A.
Lester, B. L.
Lister, E.
Lloyd, J. H.
Locke, W.
Marshall, J.
Martin, J.
Methuen, P.
Molesworth, Sir W.
Moreton, Hon. H. G.
Mosley, Sir O.
Palmer, General
Palmer, C. F.
Parker, J.
Parrott, J.
Pease, J.
Petre, Hon. E.
Philips, M.
Plumptre, J. P.
Potter, R.
Ramsbottom, J.
Richards, J.
Rickford, W.
Rider, T.
Rippon, C.
Robinson, G. R.
Roebuck, J. A.
Romilly, E.
Sandford, E. A.
Scholefield, Jos.
Scott, J. W.
Seale, Col.
Scrope, C. P.
Shawe, R. N.
Sheperd, Thomas
Simeon, Sir R. G.
Spry, S. T.
Stanley, E. J.
Staveley, J. K.
Strickland, Sir G.
Strutt, E.
Talmash, A. G.
Tancred, H. W.
Tennyson, Rt. Hon. C.
Thicknesse, R.
Todd, R.
Tooke, W.
Torrens, C.
Townshend, Lord C.
Trelawney, W. L. S.
Turner, W.
Vincent, Sir F.
Wigney, J. N.
Wilbraham, G.
Wilks, J.
Williams, W. A.
Williams, Col. G.
Windham, W. H.
Wood, Ald.
Walter, J.
Warburton, H.
Watkins, I. L.
Wason, R.
Watson, Hon. R.
Whalley, Sir S.
Whitmore, W. W.
Winnington, H. J.
Young, G. F.

SCOTLAND.

Dunlop, Capt. J.
Ewing, J.
Gillon, W. D.
Johnston, A.
Oliphant, L.
Ormelie, Earl of
Oswald, R. A.
Oswald, J.
Pringle, R.
Sharpe, Gen.
Sinclair, G.
Wallace, R.

IRELAND.

Barron, W.
Bellew, R. M.
Blake, M.
Butler, Hon. C.
Chapman, M. L.
Evans, G.
Finn, W. F.

Fitzgerald, T.
Fitzsimon, C.
Grattan, H.
Lambert, H.
Lynch, A. H.
Macnamara, F.
O'Connell, D.
O'Connell, J.
O'Connell, Morgan
O'Connor, F.
O'Connor, D.
O'Dwyer, A. C.
Roche, D.
Roe, J.
Ruthven, E. S.
Ruthven, E.
Sheil, R. L.
Sullivan, R.
Talbot, J. H.
Vigors, N. A.
Walker, C. A.

TELLERS.

Harvey, D. W.
Hume, J.

* * *

HOUSE OF COMMONS,

Wednesday, February 19, 1834.

MINUTES.] Bills. Read a first time:—Bankrupts Estates; Roman Catholic Marriages (Scotland).—Read a second time:—Transfer of Aids Exchequer 14,000,000*l.* Bill.

Petitions presented. By Mr. WARBURTON, from the Obstetric Society of London, to include the Practice of Midwifery in any Laws to be enacted for the Improvement of the Medical Profession.—By Mr. FITZIMON, from Lush and Rush, for a Repeal of the Union.—By Mr. GUEST, from the Baptists in Glamorganshire, for Relief.—By Mr. SINCLAIR, from Bower, for an Alteration in the System of Lay Patronage in Scotland.—By Captain YORKE, from the Clergy of the Archdeaconry of Ely, for the Better Observance of the Lord's Day; and also for upholding the National Religious Establishment.—By Mr. HODGES, from several Places in Kent, for the Repeal of the Malt Tax, and the Abolition of Tithes in England and Ireland.—By Mr. PALMER, from several Places, for the Repeal of the Malt Tax; and by Mr. RUTHVEN, from Knockbreda, for the Abolition of Tithes.

AGRICULTURE—MALT TAX.] Lord *Henniker* presented a petition, signed by 1,600 of the inhabitants of the hundred of Hoxne, praying, that the Malt-tax might be repealed. They complained of the great agricultural distress of the country, which they attributed, in a great measure, to the Malt-tax, and other taxes bearing on agriculture. He fully concurred in the statement of the agricultural distress, and in the general prayer of the petition.

Mr. *Sinclair* said, that the rent of land was everywhere falling, and, notwithstanding the reduction of rent, the prosperity of the farmers was not on the increase. It would astonish the agriculturists of Scotland not a little, when they found those classes who were declared to be in a state of prosperity, were receiving that relief from taxation which was withheld from another class who were said not to be in a flourishing condition.

Captain *Yorke* would be very happy to give relief of any description; but he looked with great suspicion upon the repeal of the Malt-tax, as a mode of giving relief to the agriculturists. He questioned much whether, in the end, it would give relief, as he felt that, if the Malt-tax were repealed, there must be some other tax placed upon property in general in its stead. There had been for some time a powerful party in that House who were looking for an opportunity to advance their own interests—he meant the manufacturers—who would have this argument against the agriculturists—namely, that as soon as the Malt-tax was taken off, it would be a reason for importing corn duty free. For this reason he questioned, whether the repeal of the Malt-tax would give substantial relief to the agricultural interests.

Mr. *Ruthven* was aware of the great distress that prevailed in the agricultural class; it was communicated to the House by the Speech of his Majesty; but there was no use in suggesting remedies by taking off the Malt, or Window, or House-taxes; the great debt of the nation should be reduced; the interest of that enormous debt should be lowered; for otherwise nothing could avert the general calamity that was impending over the country.

Mr. *Hardy* was of opinion, that the Malt-tax should be repealed, and an additional tax laid on spirituous liquors—the consumption of which was so general, and the bad effects of which were so universally felt. It was for the interest and happiness of the manufacturing classes, that the Malt-tax should be repealed, as then they could brew their own beer.

Mr. *Brotherton* said, he would vote for an alteration in the Corn-laws. It would tend to the prosperity of the landed and manufacturing interests. At present, the landowners enjoyed a monopoly which was injurious to the rest of the community; and, as long as that was continued, he should object to the repeal of the Malt-tax; though, if the agricultural interest were wise, it would give up its monopoly and encourage manufactures, as the surest method to increase the value of land.

Lord *William Lennox*, said the hon. member for Salford had talked of the agricultural interests holding a monopoly. He knew of none that they possessed. It was admitted, on all sides, that they were greatly distressed; and yet a few hon. Members talked of their burthens being lighter than those of the manufacturing interests. Had hon. Members ever looked into the Poor-rates? If they had, they would see how the landed interest was taxed. He would prove, that the agricultural districts, paid more than double the amounts of Poor-rates paid by the manufacturing districts. By a calculation he was about to submit to the House, it would know how to value the statements of those who declared that the farmer was not so badly off as the manufacturer. His Lordship then made the following statement:—

Principally Agricultural.	Population.		Total Expenditure, Poor Rates.		About average cost per head.					
	1821.	1831.	1821.	1831.	1821.			1831.		
			£.	£.	£.	s.	d.	£.	s.	d.
Norfolk	344,368	390,054	267,869	358,227	0	15	6	0	18	4
Suffolk	270,542	269,304	244,801	313,405	0	18	1	1	1	2
Essex	289,424	317,233	288,911	324,421	0	19	10	1	0	5
Sussex	233,019	272,328	276,499	328,709	1	3	8	1	4	2
Principally Manufacturing.										
Lancaster.........	1,052,859	1,336,854	288,688	421,770	0	5	6	0	6	3
Staffordshire	345,895	410,485	151,177	179,036	0	8	8	0	8	8
Warwickshire	274,392	336,988	164,799	210,502	0	12	0	0	12	6
York, West Riding.	801,274	976,415	330,510	376,092	0	8	3	0	7	8
England	11,261,437	13,089,358	6,674,938	8,316,651	0	11	10	0	12	8

He hoped the House would see, from that statement, the fallacy of the assertion, that agriculture was not more burthened than manufactures. He would not, upon that occasion, enter into the question of the Corn-laws, further than to say, that he was opposed to any alteration in the present system.

Mr. *Edward Ruthven* said, that, in Ireland, the interests of the occupiers of the soil, and of the owners of the soil, were two very different things. The owner of the soil, in that country, took from the occupier every fraction that the soil produced, except a bare sustenance. The occupier made nothing by his labour but the food he consumed; not so in England, where the occupier or farmer required more than food and sustenance for his family. He was quite satisfied, that so long as landlords kept up the present high rates of land, the people would be in poverty and distress.

Mr. *Feargus O'Connor* represented a large agricultural county in Ireland, and therefore wished to show the distinction between these two classes in the two countries. In England, as soon as any portion of the fair profits of the occupier were taken away, he began to complain; but in Ireland the agriculturist never complained until all was gone. This was neither an agricultural, nor a manufacturing question. The two interests must stand or fall together. The noble Lord, when he brought forward his budget the other night, had played them a pretty trick. He took off 1,200,000*l.*, and laid on 600,000*l.*, and put it as a bone of contention to set the agricultural and manufacturing interests a fighting. Were he an English Member, and an Englishman, he would vote for a total repeal of the Corn-laws; but he was not prepared to do so as an Irish Member, representing a great agricultural county, because there was a great difference between the landlords of the two countries.

Sir *Charles Burrell* could assure hon. Members, that the reduction of rents throughout England upon the Poor-lands had been above one-half. He thought it right to state this plainly and fairly. He was sure that it had been more than that upon his own land, and upon that of most of his neighbours. It was right that this should be stated, because misrepresentations had gone abroad. When the trading interests were distressed, they obtained relief in various ways from the Government; and he thought there should be no unkind feeling on their part towards the landed interest, who were their best customers.

Mr. *Potter* was quite sure that the manufacturing and commercial interests were opposed to monopolies; and that in general they were the advocates of free trade. Honourable Gentlemen from the agricultural districts complained of the great pressure of the poor-rates; but he could not help thinking a good deal of it was occasioned by mismanagement. In Manchester the poor-rate, for the last seven years, had not averaged more than 3*s.* 6*d.* in the pound. Employment was, no doubt, more abundant in manufacturing districts; but a much better system was pursued in them than in the farming districts. In the latter, the industrious and independent labourer was put on a footing with the idle and dissipated one, which produced the worst consequences.

Mr. *Finch* conceived it to be a great absurdity to say, that the interests of the manufacturer and the agriculturist were different. He was persuaded, in his own mind, that a repeal of the Corn-laws would be very injurious to the manufacturing interest. The exportation of English manufactures would not only be greatly diminished, but the price would be very materially affected. Something, in his opinion, ought to be done to relieve the distress of the agriculturists. They had suffered very severe losses, which had occasioned a destruction of capital that was almost incredible; and to suppose, in their present state, they could compete with the Northern countries of Europe, where their productions were untaxed, would be to suppose the greatest of all absurdities. This effect, however, would be produced by a repeal of the Corn-laws —it would throw immense tracts of land, not only in this country, but more particularly in Ireland, out of cultivation. Whether the House should feel disposed to repeal the Malt-duty or not, something must be done to relieve the agriculturists from the burthens by which they were now oppressed.

Mr. *Charles A. Walker* admitted, that absenteeism was a great curse to Ireland, but, at the same time, he must say, that many of the absentee landlords of that country were as merciful to their tenants as the residents. He admitted that the absentee landlords did great injury by spending their property in another country, but, with respect to the aristocracy of Ireland, he must be allowed to say, that they were not tyrants over their peasantry. The tyrants were not the aristocracy or the gentlemen, but the middlemen, who took the land from the landlord. Last year there was a kind of set made against the landlords and landed interest of Ireland. They were now saddling the landlords with the county cess, with tithes, and poor-rates, and threatened them with a repeal of the Corn-laws. There must be a reduction of rent if the Corn-laws were repealed, and in that case the landlords of Ireland would receive nothing.

Petition to lie on the Table.

Mr. *Hodges* presented a petition from Leeds, Kent, praying for a repeal of the Malt-tax. In his opinion, there could be no more substantial relief to the agriculturists than the repeal of the Malt-tax. With regard to the observation, that the rent ought to be reduced as a means of relief, it was a matter of notoriety, that, on all the middling land of England, the rent had already fallen, and, in a short time, he feared a similar fall would extend over the whole country.

Mr. *Andrew Johnston* thought it would be a very proper measure to lay an additional duty upon spirits. He had reason to believe that a proposition would be made from Scotland for an increase of the duty upon spirits. The returns from the police would show to what a lamentable extent demoralization prevailed there in consequence of the consumption of ardent spirits. A proposition would be brought forward, for raising the duty on spirits in Scotland to that of England.

Mr. *Strickland* said, he should hear a proposition for the increase of taxes with pain. All the country were looking for a reduction of taxation; and any argument, drawn from what he could not help calling spurious morality, was a very bad one. There was no greater fallacy than to say that, by placing a tax on the spirits and food of the people, their condition could be improved. They would not, by that, be improved, either in their habits or virtuous principles; but, increase their education, and the effect would be immediate on both. They would become soon sensible of their own bad habits, and the dreadful effects of ardent spirits on their health. Instruction was the quickest mode of bettering a people, because it made them susceptible of good feeling, and taught them to appreciate the advantages of virtuous habits. To increase taxation could never alleviate the people's distress. He most heartily concurred with the hon. Gentleman who wished for a repeal of the Malt-tax, for he knew that the agriculturists were in a state of great distress, and he should be most happy to hear that the state of the revenue allowed of the repeal of that tax. The Corn-laws had brought the trade of this country to an unnatural state, and if they were revised, that would afford the greatest relief to the people at large. With regard to the question of reducing the rentals, hon. Members must surely be aware, that since the peace, rents were reduced one-half.

Mr. *Hardy* fully concurred in the observations made by the hon. Member (Mr. Johnston) in favour of increasing the tax on spirits. Some speculative evils might be imagined from the increase of taxation, perhaps, but they bore no comparison with the overwhelming evils that daily afflicted the country from the use of that "liquid fire" which the people were in the habit of drinking. He was an advocate for education certainly; but every improvement that could be made in the morality of the people should be effected, independently of improving their education. It was not to be supposed that there were not different modes of increasing the comfort and bettering the habit of a people as well as teaching them writing and arithmetic. Do away with the gin-shops, and it would have the most salutary effects on the minds of the people.

Petition laid on the Table.

EQUITABLE APPORTIONMENTS.] Mr. *Poulter:* Sir, in rising to move for leave to bring in a Bill to extend the provisions of the Statute 11 Geo. 2, c. 19, sect. 15 and to apply the principle of equitable apportionment to all property which consists in periodical and fixed money-payments, such as rents, rent-charges, annuities, and dividends of all kinds, where the party dies before the day of payment, it is more difficult to assign a cause why so obvious and just a principle should have been so long neglected, than to suggest a reasonable ground for the proposed Legislative enactment. In all subjects relating to the payment of public officers, the principle has been fully admitted and acted upon, and though formerly the Judges were dependent for their salaries on the event of their living to the day of payment, that defect has been remedied by Act of Parliament. If a rule is so equitable, that it has been introduced, without exception, into all subjects of modern creation and of public institution, why should it be any longer excluded from matters of property? The evil has its origin in nothing but an old technical rule of the common law, originating in feudal times, that rent is indivisible, and must go entirely to the person entitled on the day it becomes due; so that, if a party has a life-interest in a rent of any amount whatever, and the rent be reserved annually, though he lives 364 days of the year and then dies, his representatives are entitled to nothing. This old and injurious rule has found its way into all periodical payments whatever, and they are governed, to this day, by what I must call an ancient and inveterate absurdity. It may be said, that most limited interests are created by the act of a grantor, and that the evil may be prevented by his special disposition; but, in truth, it is rarely anticipated, and, therefore, not provided for. It is in practice a *casus omissus*. Though the case of proprietors is not the same as that of public officers, it is less different than would at first sight appear. Public officers are recompensed for personal services. Proprietors are also paid in respect of some supposed meritorious consideration. Rent is the compensation for the enjoyment of land; and why should it not be in all cases precisely apportioned to, and concurrent with, the degree and duration of that enjoyment? It seems most equitable, that a person under whom the occupation of land is enjoyed, should receive the compensation for it, up to the time of his death. A party entitled to a life or limited interest in dividends from Government or other funds, represents, for that period, the person who originally advanced a sum in gross, either to the nation, or some public body. That sum must be taken to have produced a general benefit to the nation, or other public interest. As long as the party lives, he is to be considered as the person from whom that benefit was derived. Why, then, should not the dividend, which is the compensation for the sum in gross, be divisible and apportioned? Why, if a party die on the 4th of July, should his representatives lose entirely that dividend, which is nothing but the return made by the nation for the use of money which has, or must be supposed to have, conferred a benefit on the State between the 5th of January and the 5th of July? It would have been extremely difficult, if not impracticable, to apply the principle of apportionment to tithes; but the measure I propose to introduce will have the most beneficial operation on the approaching Bill for the commutation of tithes, and especially on the interests of the poorer clergy. The incumbent of a benefice, entitled to a rent-charge in lieu of tithes, may happen to die just before the rent is payable; he has performed every duty, and incurred every incumbrance and expense incident to a large portion of the year, without being entitled to any part of that rent which is about to become due. It is most desirable to prevent the occurrence of a manifest injustice, which is involved in the emolument not being inseparably attached to the proportion and extent of service performed. The evil sought to be remedied is not succeeded by any corresponding evil. The general good obtained, is an unmixed good. All the habits of mankind—all the reasonable wants of society—all the interests of families are consulted by this measure. An establishment is maintained—a family is provided for, in the hope and expectation of an approaching benefit and receipt. Large expenses are incurred. Before the arrival of the important day, the owner of the life-interest is suddenly taken away by death. What an additional calamity is inflicted at such a moment by the severe loss of means now become still more essential! Does the effect of such a Bill merely transfer disappointment from one to another? It does no such thing. The person receiving a benefit by the present state of the law, has not the slightest hope of it—he has not calculated for any such event—by him it is wholly unsuspected and unlooked for. It is quite unnecessary to state instances of hardship—they are without number. I will now, therefore, conclude, by moving for leave to bring in a Bill to the above effect.

Leave granted to bring in the Bill.

County Coroners.] Mr. *Cripps* moved for leave to bring in a Bill to amend the law regulating County Coroners (England). The subject which he introduced to the House had been already brought under its notice; and he thought it was one well entitled to the consideration of the Legislature. The contests at Coroners' elections, the feuds and bad feeling they produced, and the ruinous expense with which they were often attended, were evils that called for the interposition of Parliament. At present the election was vested in the voters of the county at large, though the duties of the officer might be confined to a particular district. It was highly desirable that the election of a judicial functionary like a Coroner should not be carried by means that tended to produce discord and immorality. He would propose that the Magistrates should divide the counties into certain districts, and that each district should have its own Coroner, who should be elected by the voters residing in that particular district. He would not have a whole county made a scene of turmoil on account of a Coroner's election. He would also apply a remedy to the difficulties now experienced in collecting Jurors and witnesses, for he would grant the power of inflicting a fine of 40*s*. on each Juror and witness for non-attendance. The Amendments he meant to introduce were designed to remove the opposition which the Bill would probably meet with if left in its former state in the Upper House.

Mr. *Warburton* regretted that the hon. Member had confined himself merely to the election of Coroners. He (Mr. Warburton) should feel it his duty to give notice of the introduction of a declaratory clause, to the effect that the Coroner's Court was an open Court. At present the general opinion was, that it was an open Court; but it would be very desirable that a declaratory clause to that effect should be introduced into the Bill.

Mr. *Strickland* concurred in the necessity of introducing such a Bill as that of which the hon. member for Cirencester had given notice. It was perfectly true that, at present, when the Coroner was elected by the whole county, any person seeking that office was put to an enormous expense. It was said, that, occasionally, so large a sum as 100,000*l*. was expended to procure a seat in that House, and he could assure hon. Members that a sum comparatively as large was occasionally expended at the election of a county Coroner. No person could for a moment doubt the propriety of having a Coroner's Court an open Court. He believed, in fact, that it was legally so, and that those who closed the doors against the public upon an inquest, did so unadvisedly and without authority. However, if there was any doubt upon the subject, it would be well that a declaratory clause should be introduced into the Bill, of which the hon. Member had given notice. He regretted that the hon. Member had not also included the subject of Coroner's fees. He was very anxious that a satisfactory clause upon this subject should be introduced into the Bill. At present, a Coroner was entitled only to the sum of 1*l*. for attending an inquest, and not unfrequently he was obliged to hire a room at a great expense. In fact, by the present law, the Coroners of counties could not pay their expenses, and they were thus placed in a disadvantageous position. He, however, certainly did not wish to increase the county rates; and he would suggest that this matter should be referred to a Select Committee.

Sir *Matthew White Ridley* was disposed to support the principle of the measure. But it had been strongly urged by many Coroners that additional remuneration should be given them for their trouble. There could be no doubt, certainly, that at present plenty of candidates were to be found to fill up the vacancies as they occurred, and, therefore, there might not appear any grounds for a Motion to increase the allowances. Seeing, however, that Coroners were allowed only 9*d*. a mile, and 2*s*. per day, under any circumstances, he thought the system required revision. He protested he could view the Coroner's Court, not as a final, but as a preliminary Court only, in respect to examination, and he feared if it were declared an open Court great injury might arise in cases of murder, where the perpetrators might escape punishment, from the fact of evidence being published before it was put in a proper train. In short, the ends of justice might often be defeated.

Leave given. Bill brought in and read a first time.

HOUSE OF LORDS,
Thursday, February 20, 1834.

MINUTES.] Bill. Read a second time. On the Motion of the Duke of RICHMOND, Turnpike Acts Continuance.

Petitions presented. By Earl CAWDOR, from a Place in Wales, for an Alteration of the Tithe System; and from the County of Somerset, for Relief from County Rates.—By the Duke of RICHMOND, from three Places, for Continuing and Extending the Labour Rate.—By Lord BEXLEY, from Cranley and Clare, for Protection to the Established Church.—By the Earl of DURHAM, from the Protestant Dissenters of several Places, for the Removal of Disabilities and Redress of Grievances; and by Lord KING, from Bridport, to the same effect; and also from Killerig, for the Abolition of Tithes.

HOUSE OF COMMONS,
Thursday, February 20, 1834.

MINUTES.] Petitions presented. By Mr. CLAY, from Hackney, for Prohibiting the Employment of Climbing Boys; from Shoreditch, for the Repeal of the House and Window Taxes; from Merchants and Shipowners of London, and of the Outports, for an Inquiry into the Principles upon which the Corporation of the Trinity House is founded.—By Mr. HODGSON, and Lord CAVENDISH, from several Places,—for the Better Observance of the Sabbath.—By Mr. EMERSON TENNENT, from the Apothecaries of Belfast, for an Inquiry into the State of the Medical Profession in Ireland.—By Mr. RUTHVEN, Mr. FITZSIMON, Mr. J. H. TALBOT, and Mr C. A. WALKER, from several Places,—against Tithes; and for the Repeal of the Union.—By Mr. CHARLES RUSSELL, from the Dissenters of Stourbridge, for Relief.—By Lord CAVENDISH, from several Places, against any Measures that may tend to diminish the Efficiency of the Established Church.

PLURALITIES—PARISH OF ALLHALLOWS.] Mr. *Grote* presented a Petition from the inhabitants of the parish of Allhallows, Lombard-street, London, expressing their disapprobation of the unjust preferment of the rev. F. Dawson to the parish by the Dean and Chapter of Canterbury. The petition set forth as the ground of complaint, that the rev. Gentleman was already in the enjoyment of several other benefices, and that he was a non-resident in the parish. The petitioners submitted, that the object of the Established Church was to provide the most effectual means of religious instruction to the people, to obtain which the Legislature had provided ample funds for the support of a respectable, educated, and efficient ministry; and that, while they were compelled by law to furnish those funds, they submitted they had an undoubted right to the services of a resident minister, that they might enjoy that intercourse to which they were entitled, and which was calculated to produce a reciprocal good feeling between the minister and his parishioners, and was so well adapted to contribute to their religious interests. They also submitted that they had long observed the increasing dissatisfaction of the people of England on account of so large a portion of the clergy of the Established Church holding a plurality of livings and residing at a distance from them. They had but little intercourse with their parishioners, and, consequently, could have no sympathy with their wants, and take no personal interest in their religious welfare; they therefore took that opportunity of uniting with their fellow-countrymen in reprobating a system so much at variance with the well-being of the parishioners, and they felt it their duty to express their surprise and regret at the conduct of the Dean and Chapter of Canterbury, that they should have given the rectory of the parish to the rev. Francis Dawson, B. A., a gentleman who before his appointment to this living was rector of Chiselhurst, rector of Orpington, prebend of Canterbury, and sub-dean of Canterbury, and now rector of Allhallows, Lombard-street; and they could not but consider this very inconsiderate appointment, manifesting so little regard for the religious welfare of the inhabitants of the parish, as an additional proof of the absolute necessity of an immediate, full, and efficient reform in the Established Church of the country, so as effectually to remedy the grievous evils which the community was suffering from the lamentable abuse of the patronage of the Church, of which that appointment furnished so striking an example. The petition had received the signatures of the greater part of the petitioners, and, among those who had signed it, there were only fifteen persons dissenting from the Church of England, the rest of the signatures being those of members of the Established Church. The petitioners were fully aware of the excellent character and irreproachable conduct of the rev. Gentleman, and believed him to be a most deserving clergyman; but they contended, that whatever his merits or demerits might be, his non-residence among them rendered his merits totally unavailable to them. The inhabitants of that parish entertained a very strong feeling on the subject of non-residence, because not only was Mr. Dawson a non-resident, but his predecessor in the office had also been a non-resident for the period of eighteen years that he enjoyed the appointment of rector. Even the curate did not reside in the parish; so that, in fact, the parishioners had not the advantage of the presence of any spiritual adviser among them. These were the circumstances of which they so loudly and so justly complained, and they felt it to be their duty to call the attention of the House to the abuse, and humbly solicit it to apply a speedy and an efficient remedy. It was superfluous to insist on the necessity of such a measure, and great and just expectations were now entertained throughout the whole country, that his Majesty's Ministers would enforce their intentions on the subject of Church Reform. The case of the petitioners was not a solitary instance of the existence of the abuse, there being, in various parts of the country, abuses of a similar kind: though he doubted very much, whether it were possible to find one of greater hardship than the case of the petitioners.

Sir *John Wrottesley* said, that this was a very important subject, and deserved the most serious attention of the House. The petitioners were most respectable citizens of London; and it was not from any false motive but a deep-rooted attachment to the Established Church, that they made any statement of their grievances, and that alone was sufficient to gain for them a fair hearing. He could not conceive any petitioners with greater claims in their favour than the present. There was another part of the subject that rendered it particularly desirable, that there should be some discussion upon this case. It did not appear that the Gentleman appointed to this parish was otherwise than a most estimable clergyman, and, according to the present system, the Dean and Chapter of Canterbury, and the clergyman himself, had done nothing that was not in accordance with the laws. It was the system that was to be blamed, and he thought it ought to be speedily altered. With regard to the practice of non-residence, it would be recollected that, last year, returns upon this subject were laid before the House, and the House would be surprised to find that in this country there were, at the present moment, 3,687 incumbents of livings who were non-resident. Of these, 1,139 had 300*l.* a-year and upwards, and 2,548 had a yearly salary under 300*l.* He did not know what ought to be the salary of a clergyman who performed his duty; if he were called upon to state what, in his opinion, it ought to be, perhaps he should rate it too high—higher, at least, than the clergymen themselves, who must be allowed to be the best judges. The clergymen, when they got possession of these livings, fixed the stipends of their curate, and it was but just to suppose that those stipends gave a fair measure of value for the labours performed. In his opinion, they ought to be fixed at a far greater amount; but he was willing to take them at the price which the clergy themselves fixed. In these returns were also contained the salaries paid to curates; and the House could therefore see what the amount was. It was often said, that there should be rewards in every profession; he did not object to this; he did not object to large livings, not even to livings of 1,000*l.* or 900*l.* a year, because he thought no sum was too large for a clergyman who performed his duty well. The parishioners themselves would be benefited by such a measure. He had made inquiries of many persons—amongst others, of clergymen—he had asked several questions of them, as, for instance, Did they ever find any complaints regarding the dues and tithes of those clergymen who resided the greater part of the year on their livings, and performed their duties conscientiously and well? The invariable answer was, that no such complaints existed. He would now state what was the amount of the salary which the clergy gave to the curates who performed their labours. He would pass over the least until he came to those which amounted to upwards of 40*l.* a year. The number of curates, then, who received above 40*l.* and under 50*l.* was 321; the number who received above 50*l.* and under 60*l.* was 792. This was the largest number, who were thus paid; that was to say, that the largest number of curates received between 50*l.* and 60*l.* a-year. He did not say that was enough; but it would be hard to say, that the services of the clergy should be estimated at a higher amount than they estimated them at themselves: he took them at their own valuation. The number of curates having incomes between 60*l.* and 70*l.* was 359; between 70*l.* and 80*l.* 483; between 80*l.* and 90*l.* 547; between 90*l.* and 100*l.* 164; between 100*l.* and 110*l.* 610; between 110*l.* and 120*l.* 65; between 120*l.* and 130*l.* 203; between 130*l.* and under 150*l.* 119. There was then so trifling a number whose salaries were above 150*l.* that they were not worth taking notice of; they did not altogether make one hundred. He had stated before, that the non-resident incumbents amounted to 3,687. Now, he should like to know what establishment, or what public office was there, in which, if it were stated, that there were 3,687 officers performing their duty by deputy, the fact would be believed? He could well conceive what an immense stir it would create from one end of the House to the other. Was it then to be said, that the duties of a clergyman were to be held in less estimation than those of any other profession? He did not allude to their religious duties solely, but to their moral duties also; and he would ask those who had opportunities of observing the efficacy and good effect of resident clergy, whether, independent of their religious duties, the exercise of their moral duties had not been of the greatest benefit to their parishioners? He had the honour to be a member of the Committee to inquire into the Army and Navy sinecures, at the head of which was a noble Lord, one of the members for Devonshire, and it was recommended in the Report of that Committee, that those officers should be considered as unnecessary who performed their duty by deputy. When that rule had been laid down in those departments, he felt convinced, that the present system adopted in the Church Establishment could not continue long without producing its ruin. He could fairly say, that it was under that apprehension that he now addressed the House. If some measure were not introduced to abolish pluralities, and to enforce the residence of the clergy, he was convinced that that beautiful fabric, the Established Church, would soon be destroyed.

Sir *Robert Inglis* did not expect that the hon. Baronet would have taken so extensive a range in his observations upon the subjects of pluralities and non-residence, which appeared to him to be so mischievous to the Church Establishment of this country. The hon. Baronet, was come quite prepared for a discussion. He had issued fresh from the Committee upon Army and Navy appointments, and with papers upon curates' salaries, while the House had received no communication as to the subject-matter to be discussed. The advantage, therefore on the part of the hon. Baronet, and also of the hon. member for the City of London, was, on this occasion, very great. He trusted, however, that the House would indulge him for a few moments while he made one or two observations on the petition, and, by way of reply, to some of the remarks which had fallen from the hon. Baronet, on the general question of pluralities. He must, in the first place, request the House to suspend forming any opinion upon that general question until they had had an opportunity of becoming acquainted with the facts respecting Church income, which have been collected by the Ecclesiastical Commissioners, who, with the exception of one hundred parishes, had obtained information from every parish in the kingdom. He did not complain of the hon. Baronet for taking that which he considered a good opportunity for a short discussion on the subject of Church Reform; and he was bound to say, that nothing could be more temperate than the tone of his speech. It was due, also, to the hon. member for the City of London to acknowledge the calm and temperate manner in which he had spoken on this occasion; for it was a question upon which persons, not of his temper or discretion, might have provoked other sentiments and feelings than those which now prevailed. In the few remarks which he had to make, he should endeavour to follow his example. He was not prepared to defend any and every case that might arise out of pluralities. He did not wish to gain any temporary applause by the abandonment of any opinion which he held or ought to hold; nor would he defend, either in that House, or elsewhere, that which he believed to be indefensible. He knew how thankless and how useless would be such abandonment and such defence. But, in forming an opinion on the general subject, he wished the House to bear in mind the facts of the case, that these livings were small from the beginning, and non-residence was coeval with the Establishment itself. It was well known by those at all acquainted with our ecclesiastical history, that many parishes of England were divided according to the will of the lord who founded the Church. There were some parishes consisting of not more than twenty persons; and of those the income and the population were in some proportion to each other. It would not be contended, that, in such a small parish, a resident incumbent was necessary, or possible. Those Gentlemen who had read the history of the Church, of whatever religious persuasion they might be, would entirely concur in the opinion, that in a vast majority of such cases the duties were discharged by monks from some neighbouring monastery. The advowson was given to the monastery by the Baron who founded the Church *pro salute animæ*; and the discharge of the duty of the parish was committed, often in turns, to the monks who went forth for the purpose, but who were not resident in the parish itself. It would be wrong to detain the House by quoting authorities upon this subject to prove the fact: he believed it was not denied. That being the case, the evil of non-residence was, from the beginning, and must, from the nature of things, have been so. Then, if the income were, from the beginning, limited; and if non-residence were also, from the beginning, the question was, must you not, in order to maintain the decent hospitality and station of the incumbent of the parish, unite the duties of two parishes in the same clergyman? He, for one, wished that every parish should have a resident priest; but, in the nature of things, it was impossible. Until the House could prevail upon the laity of England,—many of whom held the broad lands and tithes formerly belonging to the Church,—to surrender back to the Church those lands and tithes which were taken from it, three, and, in some instances, five, centuries ago,—it would be in vain to expect that there should be a resident priest in every parish. With respect to the salaries paid to curates, he was perfectly willing to admit that, in many instances, they were below the proper point; but, in many cases, the salaries were at least as high as the incumbent could possibly afford. If it were desirable that gradations should exist in the Church, in order that young men, brought up for the discharge of the duties of the ministry, might obtain an adequate reward, then the system of employing curates could not be abrogated. With respect to the particular case which formed the subject of the petition, he begged the House would understand these propositions,—that the reverend gentleman who was now the incumbent of the parish of Allhallows, Lombard-street, and who had been represented as such an inordinate pluralist, had, for eighteen years, held the living of Chiselhurst, and had performed the duties of that parish, during the whole of that period, to the entire satisfaction of the inhabitants. With respect to the parish of Orpington, also named in the petition, that sinecure rectory was an endowed vicarage, the rector having no duties. The rectory of Hayes was one from which the reverend gentleman derived no profit, not being the incumbent,—he had given it away to a friend, without fee or reward. The next living, that of the perpetual curacy of Down, was in the same predicament. The error which the parishioners of Allhallows had fallen into had been simply this,—that they, having found the name of the reverend Mr. Dawson in a work something like a Clerical Court Calendar, published without authority, took it for granted, that this gentleman was curate of Down. [Mr. *Grote* assured the hon. Baronet that there was no such error in the petition; neither Hayes nor Down was mentioned in it.] He (Sir R. Inglis) had seen the statement in the newspapers; and had taken it for granted, that it was in the petition. With respect to the holding of the stall of Canterbury, in conjunction with these livings, that arose from the state of the law. Correct the law; but let them not make an individual responsible for acting under it, so long as it was the law. The living of Allhallows was in the gift of the Dean and Chapter of Canterbury; and Mr. Dawson, being the prebendary, to whom the turn devolved, was presented to it. The law, therefore, having given the Dean and Chapter of Canterbury the right, or, in other words, imposed upon them the duty, of exercising patronage over the living of Allhallows, and the reverend gentleman being entitled to claim the appointment, and the question of pluralities being still open to discussion, —the Parliament not yet having pronounced any decision adverse to the subject, and there being yet no prohibition for holding two livings within the distance of Allhallows and Chiselhurst; and the Dean and Chapter of Canterbury had committed no fault, and, in point of fact, they had no discretion in giving this living to the reverend Mr. Dawson,—legally speaking, no blame could attach to that reverend gentleman for having taken it. He should be happy, when the subject of pluralities came before the House, to state his views on that question; but it was not then necessary to enter into the subject.

Mr. *Feargus O'Connor* considered that the Members on that side of the House, who had done all in their power to put an end to the tithe system, had great reason to congratulate themselves upon the petition which had been presented by one of the hon. members for the City, and for the clear and lucid statements he had made in presenting it. Those statements, in his opinion, did not differ much from those made by the hon. Baronet who spoke last. He was aware that there were many instances in which clergymen were non-resident, because there was no occasion for a clergyman. He was happy, or he should rather say unhappy enough, to be able to state a case perfectly analogous to that which had been mentioned by the hon. Member. The hon. Member's was an English case, and that which he had to state was an Irish case. He was satisfied that, when he had stated it, and asserted that there were many of a similar nature, the Irish people would receive the sympathy of their English neighbours, who would admit, that they were fully justified in their outcry against tithes. In the parish where he resided, upwards of 150,000*l*. had been taken from the people for the support of the Church, and the oldest man in it could not recollect that he had ever seen the Protestant rector. The curate also resided out of the parish —the clerk lived fourteen miles from the Church; and it was but a very short time since a vestry had been called to increase the clerk's salary in consequence of his living so far from the Church; and to crown all, the sexton kept an improper house at the church door, and sold whisky without license. He asked the House did not such cases justify the Irish in the part they had taken against tithes? He thought these discussions were most wholesome—that these bye-battles were of great service to the question, particularly as they were on the eve of the great battle which was to be fought to-night, and as this would be the last skirmish. They had been promised the support of the English Members, and he was satisfied they would not be disappointed. He saw an increasing desire on their part to take the means of agitation away from the Irish Members. He was convinced that the English Members would do them justice, and then they might say to the Irish Members, if they were still agitators—if they still persevered in disturbing the peace of the country—they did it from bad and interested motives. He trusted the Irish people would not have the sanction of a vote of the English Members for a perseverance in their agitation. He congratulated the House upon the presentation of the petition, and the manner in which it had been supported.

Mr. *Hardy* could not but admit, as a member of the same Church to which the hon. Member belonged, that the Church of England was suffering under acts such as these which the petition detailed. It was no consolation that the inhabitants of Allhallows had been told that the clergyman was a most upright and exemplary man; that was the more tantalizing to them, as they could not obtain his spiritual advice and assistance. If they were aware that he could conduce so much to their spiritual welfare, and that they never saw him, they were the more to be pitied. He did not think that the hon. member for the University of Oxford had fully answered the observations which had fallen from the hon. member for Staffordshire. He understood that the parish in question was fully able to support a clergyman, and it was therefore, an additional hardship that they should be deprived of the benefit of his advice. It was unnecessary to say to what extent the system of pluralities had gone; it was no longer said, when a clergyman was presented to a parish, that he had got a cure of souls, but that he had got a living. It was not that he had got a commission to instruct the people in those things that would be most conducive to their salvation, but that he had got the means of supporting himself and his family. It was of the disposal of livings in this way that the Church of England complained, and which would probably occasion her to die of a plethora. He was astonished when he found complaints of this nature so numerous, that so respectable a body as the Dean and Chapter of Canterbury should continue to dispose of livings in this manner. He trusted that ere long his Majesty's Ministers would be prepared to bring in some measure which would put an end to pluralities and non-residence, and give to every parish the benefit of a resident clergyman.

Petition laid on the Table.

Malt Duty.] Mr. Shawe presented a Petition from the Owners and Occupiers of land in the Hundred of Carlford praying for the Abolition of the Duty on Malt.

Mr. *Leech* supported the prayer of the petition, and said, he had a statement in his possession, by which he could prove that the average price of wheat was now less than it had been for the last forty years, excepting only two years. Since the year 1815, the average price had been 10*s.* less than for many years previously. At the same time the Poor-rates had increased three-fold, and it was quite impossible that the agricultural interest could bear such increasing burthens under such diminishing prices.

Mr. *O'Connell* wished to say one word upon this subject. It was his duty to take notice of it, on account of the great difference of opinion which prevailed amongst those with whom he generally acted. It was supposed that Ireland derived a great benefit from the Corn-laws This was not his opinion, and if it were, the principle applicable to these laws would induce him, for the sake of giving cheap human food to the poorer classes, to desire their repeal. The question was whether they were to have cheap bread—whether the family which now had but one loaf was to have two loaves? When the question was thus presented to his mind, upon the same principle that he disregarded the rights of private property in abolishing slavery, he, for one, had no notion of balancing the interests of the landlords against those of the poor, and he would support any Bill which would make bread cheap to the labouring classes. But in his judgment the agricultural interests would be benefited by the repeal of the Corn-laws, as they would be better supported by the manufacturing classes, and the corn fields would be turned into gardens. But whatever would be the result, any plan to make food cheaper for the poor should have his decided support. He would gladly relieve the landowner by annihilating two-thirds of the tithes, by repealing the Malt-tax, and the taxes upon agricultural horses; and, indeed, from every possible burthen, provided that he could make food cheaper to the poor.

Mr. *Finn* said, that the hon. member for Dublin differed on this question from almost every other hon. Member. He was at a loss to know how Ireland, with no manufactures, could be benefited by the repeal of the Corn-laws. On the contrary, in his opinion it would throw nearly all the land out of cultivation. This was the only advantage Ireland derived from its connexion with this country, and in his opinion in repealing the Corn-laws they would be in fact repealing the Union.

Mr. *Feargus O'Connor* also differed in opinion upon this question from the hon. and learned member for Dublin, and thought that the Corn-laws, ought not to be disturbed. So far from giving cheap food to the poor, the repeal of the Corn-laws would, in his opinion, render it more difficult for the labouring poor to get bread at all, as there would be, comparatively speaking, no employment. He would oppose the repeal of the Corn-laws.

Mr. *O'Connell* considered that the hon. Gentleman mis-stated what he had said, though, perhaps, not intentionally. What he said was, that by rendering food cheaper, land would be improved, and ground in the neighbourhood of large cities, which was now under corn, would then be turned into gardens. The advantage of dear food was all on the landlord's side. All his interest was landed interest—it was to be sure very small, compared to the great landed proprietors of that

House, but still to increase his rent-roll ought to be his object, and yet he was for the cheapness of bread to the poor.

Lord *William Lennox* was of opinion that the proportion which wages bore to the price of bread was what should be looked to, for if a poor man earned but 6*d*. a day, and got his loaf for 3*d*., it would be the same as if he earned 1*s*. a day, and paid 6*d*. for it.

Mr. *Thomas Attwood* said, that hon. Gentlemen seemed to think, that the public faith was pledged to the fundholders, and to them only, but, he contended, that it was pledged also to the land-owners, and that the farmers, whose property was twisted out of their hands by the acts of that House, had stronger claims upon the House than the fundholders, whose paper loans had been paid in standard gold. If some measure were not speedily adopted for the relief of the agricultural and commercial classes, for the effectual relief of the distress and exasperation under which the industrious classes now laboured, he was afraid no property would be safe. He was prepared to prove, that within a very short period (he would not say when, for prophets were cursed for boding ill, and had often been disappointed)—but he was prepared to prove that the national debt would shortly fall under the ruins of its own making. One-half was the reduction which common honesty required.

Mr. *Ayshford Sanford* said, it was the duty of the House to adopt some measure for the relief of the agricultural interest, but he protested against any encroachment on the public funds, that being, in his opinion, injurious to the agricultural and commercial classes, and to every person of property. If a portion of the local taxation were removed, it would greatly benefit the agricultural interest, for it was by local taxation that it was most severely oppressed; and if it were more generally thrown upon the country, it would greatly relieve that class. He was confident, that it was not the wish of the agricultural interest to be relieved at the expense of the public creditor.

Mr. *Ruthven* said, that from the pressure of taxation on the country, he had little doubt, unless some measures of relief were afforded, the forebodings of the hon. member for Birmingham (Mr. T. Attwood) would prove but too true. It was impossible for the country to keep up all its establishments, and at the same time pay the enormous interest of the National Debt. The House should do something, and that speedily, to secure the stability of property; and as to the National Debt, he thought it would not be any extraordinary sacrifice if the national creditors gave up ten millions, in order to secure the other twenty millions. There should be a substantial reduction of the interest of that debt, and until that was done, there would be bickerings and agitation in this country, as well as in Ireland.

Petition laid on the Table.

TITHES (IRELAND).] The following passage in the King's Speech at the opening of the Session, was read, on the Motion of Mr. Littleton:—'I recommend 'to you the early consideration of such a 'final adjustment of tithes in that part of 'the United Kingdom (Ireland) as may extinguish all just causes of complaint, 'without injury to the rights and property 'of any class of my subjects, or to any 'institution in Church or State.'

The right hon. Gentleman then moved that the House should resolve itself into a Committee of the whole House, on the subject of Tithes (Ireland), on the House having resolved itself into such a Committee,

Mr. *Littleton* spoke to the following effect:—In rising to call the attention of the Committee, to the subject of which he had given notice, he would first express his regret that a question of so much importance had not fallen to abler hands He regretted it because, the question he was about to call on them to discuss involved principles deeply affecting property at large; and he would venture to say, that there never was submitted to the consideration of Parliament any question on which more entirely depended the future tranquillity of Ireland. He must beg leave before he proceeded further, to caution Members of all parties against supposing that, in discussing that subject they were considering a question which in any manner involved the appropriation and application of Church property in Ireland. That was a perfectly distinct question—it was one which had been made the subject of discussion heretofore, and might he thought, be constitutionally made the subject of discussion hereafter. He implored Gentlemen therefore, in entering on the consideration of the question, in what manner they could best realise the property of the Church, they would not for a moment, mix it up with the perfectly distinct question of the appropriation or application of that property. The question which the House had to consider, was simply and entirely a question of property. It was as much a question of property, as if it regarded only the payment of rent; and that might be abundantly proved by the fact, that the opposition to the payment of tithes in Ireland had not only been extended to the property of the Church, but in an equal and perhaps greater degree, to such portion of it as belonged to lay impropriators. It would not, perhaps, be altogether unprofitable, if he were to invite the Committee to go back, and consider what the state of the law, and the condition of public feeling with reference to tithe property in Ireland had been during the greater part of the last century. He would not, exhaust the attention of the Committee, by referring, in detail, to the history of late periods. He would merely beg them to bear in mind, that the Statute-book had been loaded with enactments by the Legislature of both countries for the purpose of giving the proprietors of tithes effectual means to enforce the law. The whole of those enactments had proved ineffectual; many of them of the most severe description, extending even to capital punishment, had proved utterly useless; they had in some cases produced a momentary tranquillity and momentary concession, which, however, had generally been followed by fiercer outbreaks and more obstinate resistance. In saying that, he knew he was, in some degree, making admissions to those whose opposition he might have to encounter. To such a height, however, had this resistance to tithe, and the state of public feeling in opposition to tithe property, arisen in Ireland in the year 1823, that his right hon. friend the member for the University of Cambridge, (Mr. Goulburn) who was then Secretary for Ireland, introduced an Act for the composition of tithes. The principle of that Act was of the utmost importance and the greatest value, and the general machinery of it, in his opinion, did great honour to the talent and ability of his right hon. friend. Indeed, the importance of that measure could not be underrated by any one who was aware of the benefits which it produced in some parts of Ireland. Great, however, as were the beneficial results of that Bill, it did not reach the root of the evil, and to so great an extent had this opposition to the payment of tithe in that country increased in 1831, that his right hon. friend, the Secretary for the Colonies, then Secretary for Ireland (Mr. Stanley), was under the necessity of introducing two Bills for the consideration of Parliament: the object of one was, to relieve the almost utter destitution of a very large portion of the clergy; and the object of the other was, to give, by a compulsory arrangement, more complete effect to the enactments of the Bill of 1823. But, valuable as those enactments undoubtedly were, they went only half way in the settlement of the question. The principle of composition, was right; and that principle having been universally adopted, it was the design of the Government to take it as the basis of the measure he meant to explain to the Committee. Valuable as the enactments of 1823, and 1832, were, they were manifestly insufficient; and the House would scarcely require to be reminded that, in the course of last Session, so general in Ireland, was the distress of the clergy, occasioned by the general resistance to the payment of tithe, that the House of Commons was induced to pass an Act, which did great honour to its liberality, to grant a sum of no less than 1,000,000*l.*, for the purpose of defraying the outstanding claims of the Church for the arrears of 1831 and 1832, and the tithes of 1833. It would, perhaps, be interesting to the House, if he were to give some explanation of the results which had attended that enactment. The hon. and learned member for Dublin seemed to apprehend that the parties in Ireland who were entitled, under the Act, to avail themselves of the relief offered to them, had done so in a very few instances. In that respect the hon. and learned Gentleman was mistaken. The total number of applications sent in was no less than 2,486, of which no fewer than 2,414, had passed the Council, and been declared entitled to relief. He should weary the Committee were he to read a statement of the proportions in which those applications had come from the different counties in Ireland; generally speaking, they had emanated from those counties inhabited for the most part by a Roman Catholic population. They had, of course, come in a larger proportion from those counties which contained superficially the largest amount of population. He would mention, however, some few counties from which there had been the smallest number of applications, and some few from which the largest amount of applications had been received. The number of applications received, was :—

From the county	Applications.
Antrim	3
Armagh	19
Cavan	23
Fermanagh	4
Londonderry	11
Monaghan	17
Tyrone	14
Leitrim	6

These were the counties from which it appeared, by the schedules returned to Government, the fewest applications had come; and those from which the greatest number had come were—

From the county	Applications.
Dublin	54
Kildare	101
Kilkenny	160
Donegal	44
Down	30
Kerry	70
Waterford	98
Sligo	37
Mayo	61
Roscommon	67
Meath	63
King's County	64
Queen's County	52
Wexford	198
Clare	144
Cork	303
Limerick	114
Tipperary	248
Galway	94

The total amount of the claims which had been put in, and subsequently approved of, was 751,731*l.* 1*s.* 3*d.* and in his opinion 774,000*l.* would cover the whole claims. The schedules contained much useful information—many facts which would forcibly illustrate the present system of tithes in Ireland. In order to show the House how very minute were the payment of tithes in Ireland, and how much they were multiplied, he had called for accounts giving him the five largest amounts payable in each county to any particular individual. In England, English gentlemen knew very well what was the average amount of tithe payments in agricultural districts. In Ireland, they varied very much. He would just state some of the largest payments receivable by any one individual :—

	£.	s.	d.
In the county Antrim (not more than five persons paid each of them to one individual more than)	6	8	0
Armagh	7	5	0
Cavan	7	2	8
Donegal	8	14	0
Down	9	14	10
Fermanagh	4	4	0
Kilkenny	21	0	0
Leitrim	4	10	4
Londonderry	4	1	4
Mayo	10	0	0
Sligo	7	8	3
Tyrone	7	1	10½

It was true, that in some cases, however, there were single payments, though they were very few, amounting to 40*l.* or even 60*l.* In one case, which had come under his consideration, there was one sum of 129*l.* But, when he read to the House the five largest sums payable to any individual in the counties he had named, he was sure that, had he called for the ten largest payments, the sums would be found to be very small indeed. To illustrate the statement further, he had called for schedules, for the purpose of taking the average amount of tithe paid by each individual: the first exhibiting the smallest number of names claiming the largest amount; and the latter exhibiting the largest number of names claiming the smallest amount; and it was as follows :—

County.	Parish.	Tithe Payers in 1833.	Average Amount. £.	s.	d.
Carlow	Ballymore	381	0	10	3¾
Cavan	Dromg	630	0	9	7½
Cork	Ahaina	112	6	7	5½
	Buttevant	235	5	13	4½
Down	Tullyglish	601	0	8	6½
Dublin	Santry	29	6	17	3¾
	Finglass	80	6	19	9½
Fermanagh	Derryvoole	1,218	0	8	5
Galway	Kilteckle	26	0	7	0¾
Kerry	Knockane	580	0	8	11½
King's	Ballikin	260	0	14	9¾
Longford	Kilcomash	219	0	13	1
Louth	Haynstown	31	5	4	0¼
Queen's	Kilmanton	168	0	4	7
Roscommon	Kilyglass	647	0	12	5
Tyrone	Dysert Creagh	125	0	6	8½
Waterford	Kilrosanty	59	6	7	0
Westmeath	Ballynaslaney	89	0	7	1¼

The second table contained the largest number of names, claiming the smallest amount. It was as follows:—

County.	Parish.	Tithe Payers in 1833.	Average Amount.		
			£.	s.	d.
Armagh	New Town Hamilton	470	0	1	3
	Lisnadil	1,201	0	10	0½
Carlow	Dunleckny	472	0	8	6¼
	Kilmore	733	0	3	2¼
Clare	Kilaloo	529	0	1	3½
Cork	Marshalstown	336	0	0	10½
	Kilcona	830	0	1	11
Donegal	Lower Mobile	317	0	1	3¼
Down	Clanduff	1,018	0	4	4¼
Fermanagh	Innis M'Saint	1,593	0	5	10½
Kerry	Mollahiffe	268	0	1	3¼
Kilkenny	Callan	903	0	1	10¾
Limerick	Corcomohide	1,120	0	10	2
Londonderry	Leekpatrick	1,243	0	0	6
Longford	Tassidy	134	0	19	4
Mayo	Ballinchally	238	0	1	7¼
Tyrone	Pomeroy	528	0	13	0¾
	Ardrastan	1,290	0	16	9

He had also another account which exhibited the extreme and melancholy poverty of the tithe-payers, and from this statement the House might judge what difficulty there was in the collection of tithes. There were twenty parishes which he could name, and, in the great proportion of the whole, each person only paid 9*d*. He would read for the House a few parishes, stating the number of tithe-payers, and the average of their payments:—

County in which the Parish lies.	Number of Tithe-payers.	Number who pay less than 9*d*.
Carlow	446	289
Clare	434	254
Cork	1,270	419
King's County	505	97
Roscommon	243	119
Tipperary	331	125

Taking twenty counties in Ireland in which there were 7,005 tithe-payers, it would be found that there were 2,344 of these who paid on an average less than 9*d*. each. The clerk at Dublin Castle had informed him that in a parish in Carlow, the total sum due by 222 defaulters, out of 481, was only 10*s*. 3½*d*., or about one farthing each; yet, in consequence of the larger sums due by the other defaulters, the average ran up to about 4*s*. 7*d*. each. The same thing occurred in most of the schedules, which contained such a mixture of large and small sum as to swamp the average, and make it an incorrect index to the general fact. A return of the actual number of defaulters whose debts were under a farthing, and rise by farthings up to a shilling, would exhibit a very large proportion of the gross number. In some instances the charge upon the land amounted to only seven parts of a farthing. When he informed the Committee that many of the smaller sums were payable by three or four persons, some idea might be formed of the difficulty of collecting tithes in Ireland. The highest aggregate charge was against those who owed individually about 2*d*.; and he would then beg to remind the Committee, that it was not so much the sum as the situation of the individual, that rendered those charges oppressive. Two-pence to one might be as great an impost as 2*l*. to another. There was another great severity connected with the question of tithes. They were not simple. One proprietor alone did not come to the poor man to demand his tithes, but many, whose interests were irreconcilable and adverse, fastened upon him. There were different kinds of tithes—the vicarial, rectorial, and impropriate—all often fastening on the same individual, who was bound to meet the separate demands of each tithe-owner. The opposition to tithes, then, though it might receive an impulse from agitation, was not to be wholly traced to that source. There was a deeper source in the severity of the impost itself.

It was the nature of the tax, and not the extrinsic impulse of agitation, that raised the outcry against tithes. There could be no manner of doubt, at least he had no doubt, that agitation—he meant not agitation of any particular year, but that general agitation which had so long existed with respect to the subject—had materially interfered with, and prejudiced the maintenance of this description of property; and he was ready to admit, that, under other circumstances, the payment of tithes might have continued to be successfully enforced for many more years. But when the Committee had heard the statements he had made, and to the accuracy of those statements he pledged himself, he put it to any hon. Member to say, whether it was possible for such a system to have long continued. It had within it the seeds of its own dissolution, and it must eventually have failed, even had no other impulse been given to its fall. But he might be told, and no doubt he should be told, that the measure of last Session, introduced by his right hon. friend (Mr. Stanley) had for its object the commutation of tithes, and that by compulsory composition. Such was certainly the case; and it was also perfectly true, that it was a part of the measure of his right hon. friend to reduce the multiplicity of holdings upon which tithe was payable, and by so doing, to relieve the tenant from the present objectionable mode of collection, and also the tithe-owner from the vexatious and injurious opposition to which he was exposed. The Bill of his right hon. friend had, in truth, effected much, but much also remained to be done. Sufficient, however, had been done to show what might be accomplished; and with a view of setting before the Committee the actual effect of the measure of his right hon. friend, as to a reduction in the number of persons by whom tithes were now payable, and had been payable before that measure came into operation, he had collected the best materials available, and he would state to the Committee the results. Prior to the measure of his right hon. friend being brought forward, it would have been impossible, but by the most arbitrary and inquisitorial proceedings to have arrived at any statement as to the list of persons by whom tithes were payed, the amount of those payments, and similar particulars. Even now there was very great difficulty in obtaining any such information, but he had done his best; he had caused application to be made to the Commissioners, to the Clergy, and to those other sources which were the most likely to be able to afford accurate information; and therefore he was enabled to state to the Committee such particulars as might, he thought, fairly be deemed to give a just specimen with respect to the whole of Ireland. He had first endeavoured to ascertain what was the number of persons, whether tenants or not, who were liable to the payment of tithes before the Bill of his right hon. friend came into operation; and, secondly, what was the number now liable to the payment of tithes, as compared with the number previously liable. He would not pretend to state to the Committee the result as to the whole country; but he would state the result as to sixty-six parishes situate in twenty-two different counties. He found that, in that number of parishes, there were, prior to the passing of the measure by his right hon. friend, no less than 16,231 tenants liable to the payment of tithes; and that, since the passing of that measure, by which yearly tenants and tenants-at-will had been relieved from the payment of tithes, and the imposition laid upon the land-owners, the number of persons liable to pay tithes was reduced to 7,047; making a diminution in the number of tithe-payers in sixty-six parishes of no less than 9,184 persons. That was the result of the measure in that number of parishes; and although he could not take upon himself to say, that it presented the exact proportions which would result upon an accurate examination of the whole country, he had no doubt that it would be found, if tried by such a test, pretty accurate. At all events it showed to a very considerable, and he thought sufficient, extent, how the measure of his right hon. friend had operated. Now, he was very well aware, that hon. Members who were determined to resist any change whatever, that had for its object to rescue the property of tithe from its present difficulties, and to invest it with a character of security, that such hon. Members would at once say, that such being the effect of the measure of his right hon. friend, it had accomplished, or would accomplish, its objects, and therefore further legislation was unnecessary. He, however, must say, that the effect he had noticed constituted one of the arguments upon which he should contend for the importance of the measure of which it would presently be his duty to sketch the outlines to the House. Circumstances had surrounded that property with difficulties and with danger, and it was the duty of the Government to provide for its adequate protection. He never could admit, nay, it would be impossible for the Government to admit, that tithe or any property, was not entitled to all that security which law and Government could afford. In the first instance, the clergy, as the lawful owners of tithes, had a right to be secured in their receipt. Whatever might be hereafter done with tithe property, the Government was bound to assert the rights of that property, and to use the same exertions to realize, and to enforce it, that would apply in any other case in which property was assailed. Having thus made these preliminary remarks, and which he had deemed necessary, because he felt it right that all the facts connected with, or bearing upon the question, should be before the Committee, he would at once proceed to develope the measure which his Majesty's Government, under the circumstances, felt it their duty to propose for the consideration of Parliament. The great aim and object of the measure was to afford that protection to tithes, to which as lawful property they were indisputably entitled, and to provide for their ultimate, entire, and absolute commutation into land. And first, in order to effect that, it was desirable and necessary that all the powers possessed by Government should, if necessary, be put in force; and if they were not sufficient, that then Parliament should strengthen the hands of Government. Pursuing that view, therefore, he should propose that, from and after the 1st of November next, the payment of tithe as tithe should cease, and that it should be commuted into a land-tax to be granted to his Majesty, and to be paid at the same time, and by the same parties, and to the same amount as the tithe composition. That done, as the best and most certain way of vindicating the property from difficulty and insecurity, the measure would next proceed to enable the parties liable to pay the land-tax so created to redeem it. To effect that he should propose that a period of five years be allowed for the redemption; such redemption to be effected by any person having a substantial interest in the estate; and the terms of the arrangement would be such that he could not suppose but they would be deemed advantageous and satisfactory, both to the tithe-owner and to the land-owner. Of course he proposed to introduce every possible facility, and, to give every inducement for the commutation of tithes, which was the chief object of the measure; and, as he proceeded with his statement, the Committee would be enabled to judge in how far he had succeeded in embodying his design. He proposed, then, that on a land-owner redeeming the land-tax to be created by this measure within five years from its creation, he should be entitled to an abatement of one-fifth of the amount of the redemption due from him; and further, that, then standing in the place of the original representative of the property, he should be entitled to recover from the tenant, if he so saw fit, the whole of the sum for which the redemption had been effected. The next proposition was, that, in cases in which the land-tax was, not redeemed within five years, that tax should become a rent charge, and should, of course, be redeemable at any time, upon certain conditions to be clearly specified, through purchase, by the party having a substantial interest in the estate. They might be sold in the market like any other property for the best price they could bring. As to the mode in which the clergy or other owners of tithes should receive their incomes, it was proposed that the amount of such income should be certified by warrants of the Ecclesiastical Commissioners, setting forth the amount to which each clergyman or tithe-owner was entitled. The amount would then be paid by the Commissioners of Woods and Forests, who were to have the payment of those sums, subject to such deductions as might be considered fair, under the peculiar circumstances of each case, or class of cases, for the cost and trouble of collection. Those payments would, of course, be made out of the fund raised by the land-tax, or the money paid for its redemption, by the annual amount of the rent-charges, or their produce when sold. When, however, the money should be invested in land sufficient to give to the clergyman or tithe-owner what was considered a full equivalent for his tithe, the land would be transferred over to the party, and the

Government would be relieved from all further connexion with it. This was a brief sketch or outline of the general plan, which, as the Committee would observe, contained several propositions. The first was the conversion of tithe property into a land-tax. He would not enter into the question, of how far a land-tax being substituted for tithe might be popular with those who desired a change, in the first instance, with a view of getting rid of the tax at a future time. The proposition which he laid down was, that it was the bounden duty of Parliament to provide some means of realizing the property of the Church, and the best way in which that could be done would be to make a land-tax to some amount, and payable by the same parties. Any other mode would be subject to the objection, that it would be shifting the burthen from one class of men to another which ought not to bear it. The second proposition referred to the value of the redemption, and to its being fixed at the expiration of five years. If he were asked why he had fixed five years, he could not say in the abstract why a year more or a year less might not be just as good; but the reason why five years had been named was, that the sum of 800,000*l.* which had been advanced to the clergy of Ireland, would, during that time, be in the course of payment, and these payments would of course, be deducted from the sums which the clergy might be entitled to receive from the Commissioners of Woods and Forests. Then came the question as to the terms upon which the redemption should be permitted. It was quite clear that, consistent with the object for which the redemption was to be effected, there were but two ways by which it could be accomplished. It must be either by the transfer of land equal in value to the amount required for the redemption, or by the payment of a sum of money of equal amount by the tithe-payer, on account of the tithe-owner. With respect to the terms of a voluntary redemption he had already stated what practically amounted to this—that if the redemption was 100*l.*, the landowner would have to pay not less than 80*l.*, the abatement allowed being one-fifth. Then came the consideration as to how the amount of payment was to be calculated, supposing it was made in money. His right hon. friend (Mr. Stanley), in the Second Report he had made on the subject of tithes to the House, had calculated that, taking Ireland through, the property of the Church was worth sixteen years' purchase. But he (Mr. Littleton) thought, that the data then taken would not now be available. His hon. friend had referred to the case of the Bishops' lands; but that had now failed, owing to the arrangements of the Legislature. They must, therefore, look for other means through which to arrive at a just and satisfactory valuation. He believed, and nobody who had given the subject the slightest attention could doubt, that he was right in stating that the matter was one of extreme difficulty, and, indeed, impossible to accomplish, if only existing data was to be had recourse to. He had looked in vain for such accounts as would enable him to enter upon the question. For a long period of years the sales of lay impropriations had been so extremely rare, and, he believed, under such peculiar circumstances, that it would be impossible to collect from them sufficient materials to form an accurate rate of value for the property to be dealt with. Again, with respect to advowsons, it was perfectly clear that each particular case was governed by particular circumstances, as the age of the incumbent and of the purchaser. The only course, therefore, that appeared to him to be just and practicable, was to determine how many years of purchase land was worth, and to fix the relative value which tithe bore to land, as to the period of purchase. That was the principle which he considered to be just, and he thought that, upon consideration, no objection whatever could be taken to it. Now, upon consulting such authorities upon the subject as he could find, it appeared that there was a general, and indeed, an invariable opinion that tithe property in Ireland was worth four-fifths of as many years' purchase as land was. He would therefore propose to take that proportion as a guide and standard; and having done so, he would propose the establishment of a Commission to inquire into, and estimate the number of years' purchase to which the land upon which a redemption was to be made was worth. At first, such an arrangement might not appear absolutely necessary; but he was convinced, upon reflection, that it would be found essential to a fair and satisfactory settlement of the matter. It was impossible to fix upon any average number of years of purchase, which would be found applicable to the whole of Ireland, or even to the whole of a county. It would be necessary, therefore, for the Commissioners to ascertain the actual value in each particular district, and, that being ascertained, to calculate the redemption of the tithe at four-fifths of that value. For the sake of illustrating his meaning, and preventing the possibility of his being misunderstood, he would quote an instance or two how this plan would work. Supposing the land upon which the redemption of the tax was to be made was worth twenty-five years' purchase, then the tithe would be estimated at twenty years' purchase; if the land was worth twenty years' purchase, the redemption would be sixteen years' purchase; if sixteen years' purchase, the tithes would be worth fourteen years' purchase, and so on. Now, in a majority of counties in Ireland, twenty-three in number, the land had been valued at twenty years' purchase, which would give the tithe, upon the rule laid down, at sixteen; but it must be unnecessary for him to go further into detail upon the point, or to quote more largely from the table before him. He had stated that, in the plan devised for the commutation of tithes, the Government proposed to the landowner considerable advantage, and that without injury to the tithe-owner; and he was quite sure that if hon. Members would do him the favour of considering attentively the particulars of the measure he had to propose, they would fully admit that the facts justified his statement. Should the leave he sought for, that night, be granted to him, the Bill would be ready in a few days; and then hon. Members would have an opportunity of fully investigating the whole project, and determining in their own minds whether or not it would not benefit the landowner without loss to the tithe-owner. He did not merely mean, that the measure would be a benefit to landowners by rooting out those rancorous differences which had so often distracted districts, and depreciated property—which had driven away capital from Ireland, and deprived the landowner of the advantage arising from the enjoyment of credit; but he meant, if possible, a still more tangible advantage. He would state his meaning more fully. He had already declared one of his propositions to be to allow to landowners an abatement of one-fifth of the amount to be paid in redemption, and also that they would be entitled to receive from the tenant the full amount of the redemption money. And he contended that that arrangement would be perfectly just. The tenant was legally liable for the full amount of tithe; and when the landlord bought the tithe, he had an unquestionable right to collect it in full from the tenant. But he would put a case, in order to make his meaning clear, as to the advantage the plan would give to the landlord. Suppose the land on which a redemption was to be effected was worth twenty years' purchase, then of course the tithes would be worth sixteen years' purchase. Now, if money was at all abundant in the market, the landowner would have no difficulty in procuring it at four per cent; therefore, if he wanted the sum of 1,600*l.*, he would have to pay for it 64*l.*, while he would be entitled to receive from the tenant 100*l.* It might be very well for the hon. and learned member for Dublin to laugh, but he would defy him to disprove his statement. It was a question of figures; and unless the hon. and learned Member was competent to overturn the rules of arithmetic, he would in vain attempt to controvert the position laid down. Of course it would be for the landlord to say whether or not he would avail himself of the advantage in whole, or in part, or at all; but he persisted in asserting, that the advantage did exist as he had represented it. He had stated another proposition, which it was right he should advert to in explanation. He had said, that a person possessing a substantial interest in land, would be entitled to redeem the tithe. By substantial interest, he meant any interest superior to a lease of twenty-one years. Of course, if there were another party with an interest superior to that one wishing to purchase the redemption, the person with the inferior interest must give notice of his desire to the other party, at least, three months before he would be allowed to carry his desire into effect. The Committee would not fail to bear in mind that, in legislating for Ireland, it was necessary to consider, that the interests there in estates were frequently very dissimilar to those in England. The fee-simple of an estate in Ireland was frequently of little value, owing to the manner in which leases and other incumbrances had been fixed upon the property in perpetuity.

The law, therefore, had always regarded the person holding the perpetual interest, as the first interest, and in the same way would the measure he had to propose be found to operate. Indeed, that principle had been acted upon in the measure of his right hon. friend, and, therefore, in his propositions there would be found nothing strange, but a mere following out of a principle already adopted. He had stated that the value paid on account of redemption, would be payable for the owner of the property for which it was received, subject only to the deduction of reasonable costs. Certainly, nothing, in his opinion, could be more just than that the Government should be exonerated from all loss in such a proceeding. It would be remembered, that this was a proceeding for the security of a particular kind of property; and if the holders of that property were relieved from a difficult, and sometimes almost impracticable collection, and insured against all loss, surely it was not too much to require, that the Government which so assisted and relieved them, should be held harmless. Certainly nothing could be more just, than that no loss should accrue to a Government under such circumstances. It was necessary, also, that the matter should be so arranged, as to prevent differences; and, in order to do that, the circumstances peculiar to every district to be dealt with must be carefully inquired into, and dealt with accordingly. It would be, consequently, impossible to fix any rate of charge; for in one case, the difficulties might be very slight, while in another they might be extremely arduous. It was then proposed to employ the Commissioners before alluded to, as they would have the best means of becoming conversant with the facts of each particular case, and to submit the matter to their adjudication. With a view, however, to equalize the expenses in as far as would be reasonable, it was intended that no tithe-owner should pay less in the way of costs, than ten per cent upon the amount of the redemption. The Commissioners to be appointed would, of course, be in duty bound to invest such monies as they received, in land, for the purposes of the tithe-owner, to be settled in the manner he had before stated. It might have occurred to some hon. Gentlemen that a difficulty might occur in finding objects for investment. He, however, upon looking at what had actually occurred in Ireland with respect to the amount in the value in sales of land, felt no doubt upon the subject. He did not consider that the Commissioners were at all likely to find any difficulty in meeting with opportunities for desirable investment in land. He had before him the result of the sales of landed property in Ireland for the three years following January, 1830; and he found that the amount of capital employed during those three years, in Ireland, in the purchase of property, was 9,000,000*l*. Such was the fact, as it appeared upon the returns made on the best authority. Then he said, that he had no doubt but an adequate market would be found. Besides, a demand almost invariably produced a supply. But, even if that were not the case, he had no hesitation in expressing a conviction that there would be an ample supply, especially as every facility would be given by the measure to ensure it. Not only would care be taken to enable all persons so to free their estates of the incumbrance complained of with the least possible difficulty, but also with benefit to all the parties concerned, increasing the value of the property. It was proposed also, to enable the Court of Chancery to give permission, in the case of entailed estates, to sell part of them, or to fell timber for the purposes of the Act, though few cases of this kind were likely to occur, from the comparatively small quantity of timber in Ireland. It was also proposed that property invested in the hands of trustees, might be made applicable to the purposes of the Bill. The Committee were no doubt aware that, under the Act of last Session, many persons had availed themselves of the right of compounding at fifteen per cent less than the actual value. By the measure which his Majesty's Ministers contemplated, those persons would suffer no injury. Indeed, on the contrary, he thought he should be able to show that they would be benefited full five per cent. Such appeared to him to be the fact; at all events, those parties could not by possibility be injured, for all their advantages would be preserved to them. The Committee would bear in mind, that, during the last Session of Parliament, the sum of 1,000,000*l*. was made applicable to the relief of the Clergy in Ireland. Now, it would be satisfactory to the Committee to know that the measure he would bring before it, would not only militate against the re-payment of that sum, but would provide for it in a way that he apprehended would leave no room for doubt upon the subject. By his Bill it would be the duty of the Commissioners to be appointed under it, to devote the first sums of money they received to the re-payment of whatever might have been advanced out of that million. Of the justice of that provision, he thought there could be no doubt. When the law failed to give due protection to property, that property was relieved by Government; but as soon as the law gave its rightful value to that property, it was but right it should take the first opportunity of relieving itself from the incumbrance it had incurred at the hands of Government. There was one objection, which, he had no doubt, would be urged against his scheme, and which, therefore, he thought it better at once to notice. It would, no doubt, be contended, that the plan would give an increased value to tithes in Ireland. It had been said by the hon. and learned member for Dublin the other evening, that the Bill of last Session had, in nine cases out of ten, increased the value of tithes. On hearing that assertion, he (Mr. Littleton) had incautiously stated that he believed that, to the extent of one-third of the cases, such was the fact. He found, however, upon inquiry, that he was wrong; and that if he had said in one-tenth of one-third of the cases, he should have been far nearer the fact. He had before him the particulars of the cases alluded to by the hon. and learned Member; and he found that they were extremely rare, and all under peculiar circumstances, which prevented them from being considered as a proof that such would be the general result of the measure. The Committee was aware, that in the Act of last Session, there was a clause empowering the Commissioners to add one-fifth to the estimated Returns, provided they saw good grounds for so doing. Now it appeared that that power had been exercised only in a very few instances. Again, it had happened in some few cases that the tithe had been merged in the rent; and then came the necessity to separate the one from the other, which naturally had the effect of making the valuation ultimately very different from what it had been represented to be. Of course, in such cases, the suffering party was sufficiently clamorous; and, indeed, he believed he might say, that every case of increased or altered value had been again and again stated to the public. In some parishes it had happened that one individual held almost the whole of the grass land, and, therefore, in such cases, the valuation was made to appear partial and oppressive; and, under such circumstances, it was very easy to procure a combination by intimidation (for anything of that kind could be done in Ireland, by intimidation) to prevent an attendance at vestry of ten persons to put the law in operation. There was also a variety of other causes which had, through misrepresentation, excited discontent. There was the case of abbey lands for instance. Abbey lands were by law exempt from tithes; but, in some particular instances, owing to the construction of the law, some abbey lands had been made chargeable with tithe, and he mentioned the case of some abbey lands in the county Down. He must, however, be allowed again to remind the Committee that, in such a matter, they could not but expect to find many difficulties; and he would only add to that suggestion the earnest desire of the Government to afford relief to all parties, as far as that came within the power of the Legislature. Some landowners might complain of the tax being commuted into a rent charge after the year 1839; and ask why should they, in the year 1840, be subjected to lose advantages now secured to them by law, by which, continuing subject to the tithe composition law, they would at that period, be entitled to a re-valuation and re-adjustment of the amount, according to the price of corn? It might happen, certainly, that agricultural produce might at the later period have fallen to an extremely low price, and the landowner might ask should he now be able to have his rent charge valued in proportion to the prices as it was in the preceding period? He knew that that was a point which required consideration, and he was prepared to hear it discussed. He had not prepared any clause to meet or remedy such a case, yet the question would be considered with every disposition to apply the necessary remedy. He was not aware that he had omitted to notice any topic necessarily connected with the object of his proposed Bill, or any statement that might be necessary to the elucidation of the intended measure.

Sir *Robert Peel* suggested that the right hon. Gentleman had not informed the House from whom the expenses of law proceedings were to come.

Mr. *Littleton* resumed: Some might have thought, perhaps, that the expenses ought to be defrayed out of the fund which would accrue from the operation of the Bill,—others that they ought to be defrayed by the tithe-owners,—others that they ought to be divided between the tithe-owners and the tithe-payers. All mention, however, of the subject was omitted in the Bill, and therefore the tithe-owners would for the present remain liable. He must again remind the Committee, that he had said nothing whatever about the appropriation of tithes, for that was a subject which, being perfectly distinct from the object of his present Motion, it was not his intention to bring it at all under the consideration of the House. The collection and the appropriation of tithes were perfectly distinct, and, desiring to keep them so, he should not now say anything about the latter; nor had he anything more to add than to impress upon the House, that it was the duty of Parliament to vindicate the existing law, and to realize that property, which, if it did not belong to the Church, at least belonged to the State. The right hon. Gentleman concluded by moving the following Resolution:—"That it is the opinion of this Committee, that composition for Tithes in Ireland ought to be abolished on and after the 1st day of November in the present year, in consideration of an annual Land-tax, to be granted to his Majesty, payable by the persons who would have been liable to such composition for Tithes, and of equal amount; that such Land-tax shall be redeemable; and that, out of the produce, provision be made, in land or money, for the indemnification of the persons entitled to such composition."

Mr. *O'Connell* did not perceive that the right hon. Gentleman had any right to ask the House to suspend its opinion until the bill should come before it, if the principles of that bill were the same as he had represented. A short time since he saw the right hon. Secretary at War in his place; whether he was still in the House or not, he could not tell; if he were, he (Mr. O'Connell) must take that opportunity of congratulating him on his not having yet brought in the Army Estimates, because, after the speech of the right hon. Gentleman, it would be matter for his consideration how far the army would require to be increased in Ireland, in order to inforce the provisions of the proposed bill. An additional force would certainly be necessary for that purpose. The right hon. Gentleman's was the idlest thing ever yet proposed—of all the delusions ever attempted, he considered it the grossest of all. The people of Ireland would not be gratified by such a bill, call it by what name the right hon. Secretary would. The propositition of such a measure argued no doubt a lowly opinion of the intellects of those for whom it was intended, as well as utter ignorance of the subject in the proposers of it; but, whatever might be his notion of the abundance of the latter, he had no idea that the former would have been acted on to the extent it had been in the present instance. No doubt the right hon. Gentleman and the House had a very lowly opinion of the people of Ireland; but he did not consider that it could have been so lowly as to cause them to imagine that a change of name could so easily deceive them when their best interests were concerned. They might call it what they pleased, but they might be sure the people of Ireland would not be deceived by whatever they called it, however much they might imagine the contrary. The right hon. Gentleman had entered at length into a variety of topics, and made a speech which, from the quantity of numbers introduced into it, might well be deemed figurative. An hon. Member of that House had written a very useful book on rhetoric, in which he laid down the essence of the art as fact. "Stuff your speech as full of facts as you can, by all means," said he, "and then it will tell for itself." The right hon. Secretary for Ireland appeared to have studied that work, and had produced a figurative speech. But it was nothing more than figure after all; though he did not mean for a moment to say that those figures were facts. What for instance, could be a greater absurdity than the series of averages he had introduced among his figures? In five counties he had said that the payers of tithe composition were no higher, on an average, than 7*l.* to 8*l.* By the bye, he would observe, the right hon. Gentleman had not taken the averages of the southern counties into his calculation. [Mr. *Littleton* had enumerated Armagh, Cavan, Donegal, Fermanagh, Kilkenny.] The right hon. Gentleman had not been misunderstood by him, as he perceived from his own enumeration. He had put forward to the House that the number of tithe-payers in Ireland had been diminished by the tithe composition Act of the last Session. Never was there a greater mistake, never had there been a greater degree of ignorance on such a subject exhibited. In place of being diminished they had enormously increased, and the process by which an additional increase would be made was, moreover, going on daily in all parts of the country. For instance in all the villages and small towns, and in the vicinity of most cities, the labourers had small kitchen-gardens connected with their cabins. These, from time immemorial, had been exempt from all tithe; indeed tithes have never been dreamed of in reference to them. Since the passing of the composition Act, however, they were all compelled to pay tithe. Therefore, in that respect, the old system was not better, but a shade less bad than the new one. Again, in many parts of Ireland, tithe had never been demanded on hay; and in the north of Ireland potatoes had never been charged with tithe—now all were to be made titheable by the commissioners under the Composition Act. After such misstatements of such obvious matters as these the House ought to hesitate before it proceeded to legislate on a subject of which it was evident their informant was as ignorant as they. It was not going too far to say, that the House had not by any means sufficient information on the subject, and that the right hon. Secretary for Ireland was not able to relieve them from the dilemma. Another word on the averages. Every rood of land in the country was now tithed. Those places which had never paid before were now compelled to pay. It was, consequently, with this fact before them, easy to see the cause of increase, and the difference the farthings and three farthings of the wretched and hitherto untaxed cottiers made in the averages. He had entered into these details not with any view to combat the statements of the right hon. Gentleman, but with a melancholy foreboding of what would be the effect of his measure upon the people of Ireland. It would be received with shouts of ridicule and derision in Ireland, and would be denounced as most miserable legislation. Surely it must be known that the opposition to tithes in Ireland was not the work of any living man. It was as old as 74 or 75 years—ceasing occasionally, but returning again, with redoubled force upon every new occasion. The right hon. Gentleman admitted that the Statute-book was filled with enactments of the most cruel description, the object of which was to punish the opponents of tithes. This measure, then, which was to do away with consequences as enumerated by him, might possibly lull the opposition to tithes that at present existed, in the same way that the Coercion Bill had put down agitation in Ireland—but it would be only to make it return with twofold violence hereafter. This opposition had existed for upwards of seventy years. Must they not see that opposition such as this was not against the mere collection of tithes, but against the principle involved in their collection? And certainly the right hon. Gentleman had, in his place, held out no hope that that principle would be abandoned. There was at present a lull in the public mind, in consequence of its being supposed that the right hon. Gentleman and his colleagues intended really to do that which they had promised to do, namely, to abolish tithes altogether. It was true they were to hear no more of the word tithes, and he supposed that a man would be liable to punishment if he ever used the word again. They were to be changed into what was called a Land-tax. He contended that the Members of the Government knew nothing of Ireland. They proved it by the mode in which they attempted to legislate in respect to this question. They ought not to afford the people an opportunity of increasing their hostility to the Government and their measures. The people had no confidence in his Majesty's Government. What had the Government done for the people of Ireland, from the first measure introduced into this House respecting tithes down to the last most excellent humbug? Why, when they voted 60,000*l.*, did they consider that they did a kindness to the people? They did all they could to get this money back again; and how did they succeed? They thought it of paramount importance to get back the sixty thousand pounds; and what was the result?—They got back twelve thousand pounds only, and that at an expense of twenty-eight thousand, including the expense of military, &c. He should be sorry if he had misstated this; but he had it, or something very like it, from the lips of the right hon. Gentleman himself. What was the result? They took out horse, artillery, foot, and marines from one end of Ireland to the other, and they sent them thief-hunting, cattle-taking, and even taking clothes from the backs of the peasantry, women and men; and what was the consequence? Why, after they had, by these means got up a scene of agitation never paralleled, they, instead of coming forward with relief, came down with their Coercion Bill. Instead of following the suggestions of the Committee and the advice of the right honourable member for Dundee, who warned them on that occasion, and proposed continual Special Commissions as a preventative, they came down with their Coercion Bill. That was the first step—the second was the Bill afterwards brought in to compel composition. There never was a bill more adverse to the rights and privileges of the people than that. It demanded the submission of all to the commissioners appointed by the Lord Lieutenant; and what a set of commissioners were appointed! They succeeded, indeed, in the species of commissioners they appointed! Then a clause of that Act provided that the new compositions should be paid according to the scale agreed to within the last seven years, and not otherwise. That was the commencement of that Act. The 31st section of that Act had a marginal note, headed tobacco; and any one not interested in tobacco, would pass it over; but it so happened that the words of that section repeated the first clause of the Act, and actually threw it open to the commissioners to receive any terms whatever. It was stated that an appeal was left by that Act. So there was in words, but not in effect. The former Acts gave an appeal from the decision of the commissioners in this way. A species of vestry was selected to agree to, or disagree from, the composition. The commissioners having made out their certificate, the vestry was again called together, and, if it was agreed upon at the vestry, an appeal was given. But under the late Act the House appointed a tithe commissioner, and there being no such vestry, no appeals, in fact, were made. The only party to whom an appeal was really left was to the clergyman. Having thus legislated for Ireland hitherto, let them see what it was now proposed to do. Government was about to turn the landowners of Ireland into tithe-proctors, calling the tithe they were to collect a Land-tax. It was not the amount of this payment, but its application, which had been the source of heart-burnings in Ireland. They should recollect that tithe agitation already threatened to extend to rent. They were to a certain degree necessarily mixed, but hitherto they had been kept tolerably distinct. Let the landlords of Ireland now turn their best attention to themselves Let them be turned into tithe-proctors, and the spirit which had continued the present agitation for seventy years, would be applied to rent as well as tithes. They were, therefore, legislating to entail still greater mischiefs upon the country, bringing that which was an attack upon a sinecure church, to a considerable extent, into an attack upon the rents of landlords and the prosperity of every human being. He protested, therefore, against the measure of the right hon. Gentleman; he protested against his proposed plan, as not holding out the smallest hope of relieving the miseries of Ireland. They were required to legislate upon the principles of common sense. Now, what was common sense in Ireland? He thanked Gentlemen for that cheer. He deserved it for asking them to act with common sense towards Ireland; for when had they done so yet? What would the people of England think, if a monarch should come to the throne like James 2nd, and find himself with a subservient Parliament? Just suppose that a Whig of the illustrious House of Brunswick should take up the prejudices of the ex-illustrious House of Stuart, and getting reconciled to that once formidable monster, the Pope of Rome, should, with his subservience, pass a law to give all the livings in England to Roman Catholic clergymen—supposing all this to take place,—what would be the feeling of the Protestant people of England? He would tell them what feelings they would or ought to have. They would have feelings of indignation, of abhorrence, and just vengeance; and they would hurl that monarch from his throne, precisely as they had hurled James 2nd. from his throne. That was found to be common sense in England, and he did not know that it was not common sense in Ireland. In one diocese there were thirty parishes in which there was not a single Protestant. In many Catholic parishes in the south of Ireland there was not a single resident Protestant. Why not, then, come forward with reasonable plans of relief for the people? The right hon. Gentleman (Mr. Stanley) smiled. He, perhaps, would rather apply the blister to drive the people mad. The people expected some plan that would give them relief; and it could not be expected that they would be content with anything so delusive as this. But, it might be asked, what was to become of the clergy, who had left every other profession for that one to which they had devoted themselves? No man would regret more than he that gentlemen so circumstanced should be left unprovided for, and no person would be more ready to protect them than he was. No person would be more ready to preserve their interests during their lives; and wherever there was a Protestant congregation, he would allow the State to supply a provision for the clergyman, and he would most cheerfully bear his own share of the burthen of paying that provision; but when these two things were provided for, why should they persevere in forcing their sinecure church upon the people of Ireland? The right hon. Secretary (Mr. Littleton) did not say anything about giving any part of the money to be raised to the Roman Catholic clergy. Indeed, the right hon. Gentleman was too manly and straightforward to say any such thing; but as a rumour to that effect had gone abroad, he would say, as the organ of a large portion of the Roman Catholics of Ireland, that the clergy would not, could not, accept any such money. The Bishops would not accept it; but, if they did, the parish priests would not accept it; but even if the parish priests accepted it, there would be no excuse to give any portion of the public money to the friars; and if the secular clergy disgusted the people so far as to put themselves into the pay of the State, the Catholic worship would, in future, be performed to thousands by the friars alone, so abhorrent to the feelings of the members of that persuasion was the alliance between Church and State. But when the right hon. Gentleman came down to the House with his measure of alleviation, had not the Irish people reason to expect that this alleviation would be, in reality, the lessening of a burthen? Why, then, should they be attempting to fasten, with ribs of steel, the burthen of their sinecure church upon the country? He begged of them to consider their plan again, and to reflect whether they ought not to lessen the burthen upon the people before they finally threw their Bill upon the Table. If the people were not relieved from their burthen, what signified to them what hands the tithes might be placed in? And yet, they would express surprise, that after all this, the Irish people were discontented. It was like the story of a man receiving a flogging. It mattered little to him whether they flogged him high or low, provided they continued to flog him. He would ask them to legislate upon this question with some kind of common sense. Let them bid against those who were agitators for Repeal, by endeavouring to show that there was some chance of justice for Ireland. The right hon. Gentleman had divided all his sympathy between the Church and the landlords. He would call upon them to reverse their plan—to take the burthen off the land. He would propose to diminish the whole amount of tithes to the extent of two-thirds; the remaining third he would propose should be applied to the relief of the working classes by a diminution of the county cess, and for those uses of the poor against which no valid objection could be urged. Something of that sort would do infinitely more towards pacifying the discontents of the people of Ireland than by reading scolding speeches from the Throne, or bringing complicated and delusive Bills into the House.

Mr. *Shaw* declared himself favourable to the principle of commutation, because it would have the effect of making a just and legal payment light upon those from whom the demand was due. The hon. and learned member for Dublin would not, however, be satisfied with that; nothing short of annihilation would please him. The hon. Gentleman had given them a history of agitation in Ireland; he saw that agitation existed in Ireland for upwards of seventy-five years on the subject of tithes. There could be no doubt but agitation did exist for that period, not only on account of tithe, but on account of other questions: there were those living who ought to recollect that they were considered the primary cause of all this agitation. There were persons who carried on this system, not for the mere sake of agitation, but had an ulterior object.

Mr. *Grattan* rose to order, and objected to the line of observation pursued by the hon. and learned Member.

Mr. *Shaw* had only to state, that it was not his intention to follow the hon. and learned member for Dublin through all his statements respecting agitation; and he did not conceive that he had said anything which called for the interruption of the hon. and learned Gentleman. He fully agreed with the right hon. Gentleman, that it would be proper to give full time to consider his proposition in all its bearings and details, before he called upon the House to pass it into a law.

Mr. *Feargus O'Connor* had listened with great attention to the speech of the right hon. Gentleman, in the hope that, before its close, he might hear something in the proposition which might be beneficial to Ireland. The right hon. Gentleman did not appear well pleased because he had smiled at an assertion which he had made, but he would like to know, notwithstanding, how much money it would require from the English people to carry his plan into effect. He confessed he was greatly astonished to hear the complicated measure which the right hon. Gentleman had proposed. There were to be a land-tax, mortgages, government loans, trust-money, and a variety of other ingredients, which proved the utter hopelessness and absurdity of the plan. The Irish Members were denounced for agitating the country; but he had agitated the county of Cork, perhaps more than any other county was agitated; but, in the midst of all the agitation, he had perfectly preserved the peace. The calendar of that county, during the whole period of agitation, had no crime upon it beyond that of misdemeanour. The right hon. Secretary had stated cases in which litigation had been carried on for arrears of tithe not exceeding ninepence—nay, in one instance, so low as fourpence; and in another a farthing. Was that a state in which Ireland should have been so long left? And was the proposed Bill the measure with which the right hon. Secretary hoped to satisfy that country? He considered it a mere delusion to suppose, that if tithes were taken off, the landlord would increase the rent. The same argument would apply to the Malt-tax, or any other impost upon land; and it might just as well be said, that the landlord would raise the rent if the Malt-tax were taken off, as that he would do so if tithes were taken off. He and others had been reproached with having caused the agitation. But, in point of fact, who was it that put down the great meeting in Ireland? Certainly it was the hon. and learned member for Dublin, very much to his disappointment. But, on the contrary, who was it that advised the parsons to hold illegal meetings to resist the Government? Why, the hon. and learned Recorder for Dublin. He begged to ask the right hon. Gentleman, how was it to be expected that the Irish people would be able, in November next, to pay the arrears of a year and a fifth by that time? It was impossible they could do so. In the last Session the House had done a great and magnanimous act in favour of humanity. They had granted twenty millions of the public money to purchase the freedom of the Negroes; and the Chancellor of the Exchequer told the House, in bringing forward his budget, that he would make up the loss to England by giving the people of England four millions of pounds of tea more than they had before. He would implore the House to show some of its magnanimity towards Ireland, and to put an end to those heavy grievances, the existence of which was proclaimed by the Government itself. What right had the Secretary to coerce the people of Ireland to pay an unjust tax, which never would be paid without force? Why not, instead of this tax for an unnecessary Church establishment, lay on a land-tax for the education of the people, for the relief of the aged, the sick, and the destitute, and for the employment of the poor upon public improvements? The hon. and learned member for Dublin had spoken of parishes in which there were few Protestants; but he could tell the House, that when he was last agitating the county of Cork upon the tithe question, and more recently upon the repeal question, he made it his business to make inquiries upon that subject; and he found two parishes in which there was not one Protestant, and of these the tithes amounted to 1,000*l*. a-year. And for the recovering of some of those ninepenny arrears, of which the right hon. Secretary spoke, the law expenses amounted to as much as 2*l*. or 3*l*. There was something so ridiculous in this plan of the right hon. Secretary, that, vexatious as it was, he could keep his temper and laugh at it.

The hon. Gentleman who had last spoken, had stated, that he would suspend his judgment till the Bill was fully and fairly before the House. The interest which the hon. and learned Member represented, would be protected; but what would become of the interest of all the people of Ireland which he and other hon. Members represented? Were they to be sent back to their own counties to tell their constituents to still the voice of agitation; because, where the tithe amounted to 90*l.*, they would have to pay a land-tax of 100*l.* The right hon. Secretary (Mr. Stanley) shook his head; but it was his acts that had rendered Ireland feverish; it was his acts of last Session, which he said were to preserve it, which had rendered it such as it now was. The right hon. Secretary, last Session, with tears in his eyes, came down to the House, begging them to place confidence in his noble friend at the head of the Irish government, imploring them not to leave him in a minority. The right hon. Gentleman asked them whether the government had done nothing for Ireland, and whether they had not pledged both Houses of Parliament to the total extinction of tithe. The non-fulfilment of those promises was the real cause of the agitation of Ireland. The present plan would be more injurious to the connexion between the two countries—would do more to dispel all confidence, than any thing hitherto done, and, in the place of one petition, they would now have a hundred pouring in for repealing the Union between England and Ireland. He was pleased when he saw the recommendations of the hon. member for Dublin favourably received by the Government; and he determined, when he came down to the Parliament, to surrender to them on minor points; because he thought that when Government had agreed with the hon. member for Dublin, they had done more to tranquillize Ireland than any former governments. But now the Secretary for Ireland, the chosen Secretary, he who was to have done away with the effects of coercion, and to have tranquillized Ireland—who was to have satisfied everybody, but who had really satisfied nobody—when he saw the Secretary for Ireland come forward with a measure like the present, he could not help warning the right hon. Secretary, that landlords, as well as the tithe-payers, would rise up in arms against it. There were two great interests in Ireland, who would unite to obtain justice at the hands of the Parliament. Those two interests would unite; and then let them see how the hon. Member's Bill would be received! Who would be blamed for the agitation which would follow? Would those who advocated the interests of Ireland? No! the hon. Secretary would be blamed for it! He begged of the hon. Member to reflect for a moment before he passed a bill into a law, which would have such destructive effects.

Mr. *Shaw* said, in explanation, that he had never advised opposition to the law. He had never recommended that the law should be evaded. He merely opposed its being passed; and his opposition was grounded on the principles of the Bill itself.

Mr. *Benett* was surprised, that the hon. member for Dublin, who had expressed his disapprobation of the Government proposition, had not had the candour to state in what way he would be willing to commute tithes in Ireland. How did it happen that the hon. and learned Member had not favoured the House with any plan of his own? No man could be more hostile to tithes than he was; for he believed them to be injurious to the agriculture of the country, and the Established Church, and he was therefore happy to see—what he indeed never expected to have witnessed in his time—a just and honest commutation proposed, which could not fail of giving a stimulus to the agriculture of Ireland, and proving an inestimable blessing to both countries. He had no doubt, that in the end the landlords would gain an advantage by the commutation of tithes; but supposing that tithes were to be swept away without commutation, would the hon. and learned member for Dublin think it just to allow the Protestant landlords to gain as much as the Catholic landlords by such a measure? Would he, in fact, draw no difference between the Protestant and Catholic population? He was well acquainted with the ancient history of tithes, and he could not but express his surprise that the Catholic population of Ireland should feel such horror at them, since they were established by a long continued system of fraud on the part of the councils of the Catholic Church. It was, however, sufficient for his purpose that tithes were now legally established; and he never would consent to their abolition except by means of an honest and equitable commutation.

There was only one part of the right hon. Gentleman's plan in which he did not agree, and that related to the redemption; but the time was not come for discussing that. He expected, in England as well as Ireland, under the auspices of the present Government, a fair commutation of tithes; and thinking that the present measure would effect that for Ireland, he should give his support to the proposition of the right hon. Gentleman below him.

Colonel *Davies* felt great disappointment at the plan proposed by the right hon. Secretary for Ireland. He had the less hesitation in expressing his disappointment and disapprobation of it, as, in some of its parts, it was precisely of the same import as the ill-advised measure of the last Session — that of paying a million from the Exchequer for the relief of the clergy of Ireland. The measure now proposed, instead of allaying the hostility to tithes, would, on the contrary, have a counter-tendency. Instead of the opposition now offered by the peasantry alone, it would excite the hostility of a new class, and array landlord and tenant against the impost. Indeed, it would have the effect of setting all Ireland in opposition to it. At present, notwithstanding the assistance afforded to the collection of this tax; al-although the collectors could call to their aid horse, foot, artillery, police, and marines, they found it a tax difficult enough to be enforced; and how much more so would it be when rendered obnoxious to this new class of opponents. It was impossible that a tax of this sort should continue to be drawn from a population of six or seven millions, for the support of a system which they believed to be bad, and the maintenance of a Church which, in their souls, they detested. It had been well put by the hon. and learned member for Dublin, when he asked how should we of this country act, if the case were reversed, and we were placed in the position of the Irish Catholics. Why, instead of passive we should resort to active resistance; and could they expect other than this from Irishmen? Were not they men—having the same feelings as Englishmen? But it seemed, that when they dealt with Ireland, they were to throw aside all considerations of common sense and common feeling, and resort to nothing but passion and prejudice, as if the people of that country were so many serfs who were to be trampled and trodden under foot. When he first heard of the intention to bring forward this measure, he really did expect that something, in the shape of relief, was to be afforded. The right hon. Secretary said, he would not, at present, offer an opinion as to what might become of the Church revenues eventually. If it were his wish to conciliate the people of Ireland, he should have shown them that it was the intention of Government to appropriate these funds to the promotion of some measure productive of benefit to the people at large. He felt strongly on this question, and had, perhaps, strongly expressed himself; but feeling the measure proposed not at all adequate to the circumstances which called for it, he felt it his duty to oppose it.

Mr. *Cobbett* would only trespass with a few words upon the House. The hon. member for Wilts (Mr. Benett) had said, that Protestants ought not to be blamed for the evils of a system which had originated with Catholics, and that tithes were the invention of fraudulent priests; but it was very odd, when the Reformation made the change, that the honest Protestant Church, notwithstanding its abhorrence of Popery, should still keep the tithes; they got rid of all the errors of the Whore of Babylon—scarlet rags—absolution, extreme unction—all—all but the tithes; and those they preserved with most holy reverence. If ever there was a shameful fraud committed, it was at the Reformation, and, therefore, the less the hon. Member said of fraud the better. The evil consequences of this boasted Reformation were felt even now. The lay impropriate tithes were fruits of the Reformation! Who took those tithes from the Church? Why, the Reformation; and by the complexity of interests which they caused, puzzled this question more than any other circumstance, and created all the present trouble. This was one of the consequences of the Protestant robbery of the Reformation. The Catholics had no lay tithes, and no thought of that monstrous thing which now gave them all the trouble. They might well say, in the language of the Scripture, "Our fathers ate sour grapes, and our teeth are thereby set on edge." Hon. Members, when speaking on this subject did not appear to understand, or seem to understand the state of Ireland, but confounded that country with England, where the people were only called upon to pay the teachers of their own religion. In Ireland, the people were compelled to pay the teachers of a doctrine which they abhorred. The hon. Member blamed the member for Dublin for not having proposed a plan of his own. He would not disappoint the hon. Member, and would beg leave to suggest one. The question was simple. It was one of pounds, shillings, and pence. It was well known, that the maintenance of tithes in Ireland cost England no less a sum than two millions. They rendered necessary a police force of 500,000 men, besides 23,000 troops. Indeed, any army movements which took place, were almost as a matter of course intended as preparations for Ireland. If this source of everlasting contention were removed, Ireland would present another aspect. Irishmen were as industrious as Englishmen. The produce of the country was sufficient proof of this. They were content with a less return for their labour, in truth with less than ought to content them. The Parliament should consider the great pecuniary gain which would be effected by rendering Ireland peaceable; but above all, they should consider that, by doing justice to that country, by establishing peace in the land, and conciliating the good-will of its inhabitants, it would prove to them their right arm when called on to aid in the defence of their common interests. In the last Session, twenty millions had been granted to effect the emancipation of the negroes. Would it be too much to expect a similar sacrifice for the purpose of effecting the tranquillization of Ireland? He was certain twenty millions would effect this object. Even if it required twenty, why not make the same effort to tranquillize Ireland as to emancipate the Negroes? Parliament had a similar power in both instances; and he was sure no one would object to the means of producing so happy a result. This tranquillization would never be effected whilst the Church in Ireland continued to be supported as it was. He would not undertake off-hand to pronounce against a scheme so large and so full of detail as that of the hon. Secretary for Ireland. But it was too complex in its form, and it still left the sting rankling. It did not do what he (Mr. Cobbett) expected, for he had given the Government credit, and still gave them credit, for good wishes on this subject. He would beg of them not to make the Church in Ireland so strong as to obviate the good which might follow from beneficial measures.

Mr. *Benett*, in explanation, said, that tithes originated with the Jews; and that, on coming into possession of the Catholics, they retained the tenth, as the Jews had preserved it before them.

Mr. *O'Connell:* The hon. member for Wiltshire had professed that he had always felt the greatest attachment to Ireland. He was obliged to him for it. Ireland had many friends—many such friends—and she put him in mind of a certain fable, in which a poor creature had many friends, and found, in her distress, she was not much the better for it. The hon. Member had called on him to produce his plan. If the hon. Member had been much in his seat in that House, he would not have asked him such a question; but would rather have complained of fatigue at the frequency with which he had propounded his plans. He would, however, tell the hon. Member, that his plan was not to make any distinction between the Protestant and Catholic Churches. His plan was, to cut down the Protestant Church in its temporalities, and to take from it two-thirds of its tithes. Of the three portions, one-third he would give to the Protestant Church, one-third to the Catholic, and the remaining third he would pay in the shape of a quit rent to the public purse. This was the landlord's portion. His plan was comprehensive and comprehensible. The people of Ireland would rejoice in it; and instead of turning out at night with pikes, as they would do under the proposed plan of collecting tithes by way of land-tax, no more would be heard of predial agitation, except from the evil of absenteeism. The plan of giving more land to the Church was the worst of all. One of the greatest evils and miseries of Ireland arose from the great quantity of land in the hands of the Church. The land belonging to the Church, could always be distinguished by the eye from its poverty and bad cultivation.

Mr. *Bellew:* Sir, in the observations which I shall make on the present occasion, I trust that hon. Members will extend to me their indulgence for a few minutes, when they consider the great importance of the question, the peculiar interest that an Irish Member must feel upon the subject, and that there never was a time when the adjustment of the Church question in Ireland was of such vital concern to the entire empire. The right hon. Secretary has suggested to Members the expediency of suspending their opinions on the details of the resolutions he has brought forward, until the Bill is in their hands, and in the propriety of this course I fully acquiesce. With the sentiments expressed by some, with regard to the right hon. Gentleman, I do not by any means concur; on the contrary, I consider his appointment to his present office a most fortunate circumstance. It is, however, with regret, I feel obliged to express my disappointment at the Resolutions he has now brought forward. I do not understand how, either to the landlord or the tenant, they will turn out the boon which the right hon. Gentleman seems to imagine. I only see in them the imposition of fresh burthens upon the landlord, and a decided increase in the charge upon land generally, as it is admitted by the hon. Secretary, without entering into any argument as to the exact number, that, in many instances at least, the late valuations have been grossly over-rated. Thus the Irish landlords must not only bear all the abuse, but must make up all the deficiencies of every other class of the community. The population at large refuse to pay tithes; all the power of Government is brought to bear upon them to enforce the collection, and fails. What is the remedy? Why, put it upon the landlord. Then comes the hon. member for Stroud with his panacea, and tells us that, until Poor-laws are established in Ireland, not so much on the ground of benefiting that country, as in order to raise the price of agricultural produce for the English farmer, there will be no peace. But who is to pay this new tax? Why the landlord to be sure. And how is it proposed to enable the landed interest to meet these new demands? Why, by a pleasant view in prospective of the repeal of the Corn-laws. But to return to the measure before the House—Sir, I object to that measure, because it embraces nothing of a real comprehensive principle of national relief. This is an endeavour to conciliate contending interests by temporary expedients, and bit-by-bit legislation, when nothing can give satisfaction to one party but the radical cure of the grievance, and to the other, but the full and entire maintenance of the present Church revenues. This is no new statement; for, often as the Irish Church question has been under discussion, on the occasion of the church temporalities last year, and the Tithe Bills of the right hon. Secretary for the Colonies the year before, it was always urged by Irish Members, that nothing short of a radical change would be successful. The right hon. Secretary, on introducing his Resolutions, particularly called our attention to the fact, that they did not, in the smallest degree, affect the question of appropriation. Now this, Sir, is precisely what I complain of, that there should be any legislation on the subject of tithes which omits this consideration, the only one about which, after all, the people of Ireland can feel any interest. It is but fair to ask, what are the prominent grievances of that system? There is first, the hardship of paying above a million of money by parties who receive no value direct, or indirect, in return—this may appear to some to be the beginning and end of the evil; but such is by no means the case; a far greater remains behind, namely, the feelings of strife, and animosity, and ill-will, spread over centuries from this cause, and from this alone. The Church Establishment in Ireland has been a bonus to the great mass of the landed proprietary, to take a view of their interests separate and distinct from the rest of the country. Under the old system, this was what might be expected. Up to the year 1829 the Government of Ireland was conducted on the avowed principle of Protestant ascendancy; and never was a system more completely organized—never was the influence of any one pervading principle more strongly felt in the benefits which it conferred upon all its supporters—but for what purpose was this system maintained? Why, for the security of the Church. The Church party knew well that it was only by the system which they adopted it could permanently be supported; and therefore say, that, quite independent of money considerations, a Protestant Church in Ireland, paid to its present amount by a Catholic people, be the mode of collection what it may, is totally inconsistent with the well-being of that country. Signal as have been the successes of sectarianism, and the triumphs of the conventicle in this country, still the English Church is with every reduction entitled to be considered as a national establishment. It has a considerable numerical majority in the kingdom, and there is no district or parish where it has not a large portion of persons in connexion with it.

What I complain of then is, not a Church Establishment in the abstract, but its practical injustice in the case of Ireland? The common expression of, the Church as established by law, is full of meaning; never was there a phrase which more emphatically conveyed the nature of the Protestant Church as it exists in Ireland. It has no hold on the affections, no response in the sympathies of a people, to whom it has always been an object of aversion, and by whom it has always been regarded as an hostile and anti-national institution. What I complain of is, that the whole thing is a fiction; that bishops, rectors, and churches, are spread over the land, because by law it is ordained it should be so. The essential point of not one clergyman in five having an average congregation of ten persons is entirely overlooked. From what I know of my own neighbourhood, I am sure this is no exaggeration; and I only regret that the returns moved for by the hon. member for Cheshire are not on the table, as I have no doubt they would confirm the correctness of this statement—I do not, therefore, enter upon plans for enforcing residence, dissolving unions, or reducing emoluments to the standard of service. To restrain pluralities or augment the value of small livings, may be an important reform to members of the Established Church; but what does it signify to the people of Ireland whether these abuses are corrected or not? Were all the benefices of Ireland concentrated in the person of a single Protestant bishop, what, I ask, would it matter to the Catholic population of that country? The great, the overwhelming, the intolerable grievance consists in seven millions of persons of one religion having to pay for the religious establishment of half a million of another, from which they cannot, by possibility, receive the smallest benefit. This evil is not affected by the present Bill; and we are most sedulously guarded from, for a moment, giving into the impression that it is meant in any degree to affect it. The hon. member for Caithness stated, the other day, on presenting a petition, that unless some measure was adopted to put an end to the present system of church patronage, it would be impossible to maintain the establishment in Scotland. And yet what is the hardship in that country?—not that there is not value received, as I understand, for the money paid, but that the election of clergymen has in a manner been monopolised by certain individuals. But, I ask that hon. Member, what would he say, if the whole Church Establishment in Scotland was in the hands of the Episcopalians and Roman Catholics, who bear pretty much the same numerical proportion to the people of that country as the members of the Established Church do to the whole population of Ireland? Here, Sir, I am anxious to guard myself from the imputation of being desirous that the landlords should pocket the tithes, instead of the clergy: quite the contrary—I conceive they have not the smallest claim to them. I consider, that after providing for the interests of the present incumbents, the whole of the tithes and Church lands should be treated as national property, available for such religious and charitable purposes as Parliament in its wisdom may deem fit. I do not deny that the present measure may have the effect of diminishing the ill-will felt at the present mode of collecting tithes; but I again repeat, that, as long as the great bulk of the revenues of the Established Church are employed exclusively for their present objects alone, no legislation on the subject can be considered satisfactory. His Majesty's Government have given to Ireland a national system of education, which is producing the greatest benefits; they have established a corporation commission, which will have the effect of breaking down one of the strong holds of party monopoly; they have shown a sincere desire to redress partizanship in the Magistracy, by their appointments as well as their dismissals; they are gradually reducing the public institutions of an exclusive character—they have, by such acts, as a natural consequence, forfeited the support of one party: let them not fear to do justice—full and entire justice, to the other, or rather to the nation—above all things, let them not act upon a statement often made in this House, as well as elsewhere, that the Established Church is the strongest bond of union between the two countries. It is a principle which sooner or later this House may depend upon it must be abandoned, and the sooner it is done the better.

Mr. *Cutlar Fergusson* considered it most essential to the attainment and preservation of peace in Ireland that the Catholic clergy of that country should be provided for; but the objections urged by several Irish Members to the present measure went as much against all provision for their own clergy, as against that for those of the Protestant establishment. He was surprised at the attack which had been made on the present occasion by the hon. member for Oldham (Mr. Cobbett), who had certainly well entitled himself to, if he had not already received, the thanks of the Pope. He should like to know who at present were entitled to the tithes? The landlord had no more right to the produce of the tithe, than he had to the produce of the land of any other gentleman in the kingdom. The landlord who thought of pocketing any part of the tithe money meditated what could not be considered as otherwise than a direct robbery of others, appropriating what never belonged to him. The hon. and learned member for Dublin had stated his willingness that one-third of the amount of the tithe should be preserved, not for the clergy of Ireland, but for a purpose which undoubtedly had originally been contemplated in their institution—namely, towards the relief of the poor and the purposes of education; to such a dedication of part of the tithes either in England or Ireland he never would object, provided there was found to be an excess over what was necessary for the due maintenance of the clergy, who certainly had the first and strongest claim. Not only was that a part of the original intention of tithe, but for a considerable period the practice prevailed among the faithful of the Christian Church; and if it could be restored to a certain degree, it would be most desirable. There was nothing in the present resolution to bind any one as to the appropriation of tithe. The first part of it merely went to declare that in future it should be a land-tax, and that was precisely what had been done in Scotland two hundred years ago. The tithe in that country now existed in the shape of a tax on land; and here he must be allowed to observe that the hon. and learned member for Dublin had been mistaken in his historical recollections: it was episcopacy, and not tithes, which Scotland had resisted in the time of Charles 1st. In point of fact, the Scots never resisted tithe; and the present state of the law in that country declared tithe to be the property of the State, subject to the maintenance of the clergy. Tithe as it now existed was a heavy burthen on the landlord, and operated as a tax on improvement. He would not touch any part of the tithe of Ireland until he was satisfied that the clergy of the Establishment were amply provided for. He had a most unfeigned respect for them; and he hoped, while they were called on, along with every other member of the community, to make sacrifices of some sort, they would not be so imprudent,—he would even say insane,—as to offer any opposition to the present measure. If they did, the most lamentable and dangerous consequences would necessarily ensue.

Mr. *Lambert* said, that there was a part of the proposed measure to which he assented, inasmuch as it admitted the principle of a land-tax as a fair mode of collecting this species of property; but he dissented from it in other respects, because he thought that, under existing circumstances, sixteen years' purchase was too large an amount to pay for its redemption. As to the application of tithe, it was a perfectly distinct question from that now before the House, but one, after all, which would be the great bone of contention in Ireland. He strongly objected to the valuation introduced by the Composition Act being made the principle of valuation under this new measure, because the operation of that Act, notwithstanding some wise and excellent measures introduced by the Government, had kept the country in a state of irritation from one end to the other. Whilst he pointed out the defects of that measure, he was bound to express his firm conviction, that there never was a Government more anxious to do good to Ireland than the present; but if the measures introduced by it did not produce the effects which were anticipated from them, he would put it to the House,—he would ask them calmly and dispassionately, as thinking men,—whose fault was it? He would say, that it was not so much the fault of the Government as of the difficulties with which they had to contend,—difficulties of long and rooted prejudices,—difficulties which they could not at once overcome; and the paramount difficulty of having to deal with a party which would neither allow the people to be at rest, nor the Government to effect any measure for the amelioration of the country. There would be no tranquillity in Ireland until this question was set at rest. He was, on some points, opposed to this measure, still he thought it dangerous that it should be sent forth to the people of Ireland, from an authority which they were always too willing to believe, that this measure was bad from beginning to end; that their suspicions as to the inefficacy of any measures introduced by Government should be encouraged; that they should be induced to think that all was despair, and that every enactment of the Legislature would be attended with discontent and interminable dissatisfaction. For his own part, he never attempted to raise hopes which were unreasonable; but he besought the Ministers to go to the full extent of their power in removing the grievances of that country; and he took leave to tell the Government, that he did not believe they were aware of the extent to which that House would support them in any measure that would be practically beneficial to Ireland. He hoped the right hon. Secretary would remove the objectionable parts of this measure, and make it just to all parties; that he would prove his determination to do his duty, by going to the utmost extent which his means would allow in maturing measures which would receive the concurrence of all those who looked at the question dispassionately, and who were sincerely disposed to promote the welfare of the country.

Mr. *Sheil* said, that the general panegyric of the hon. Gentleman on the Government was as uncalled-for as the vituperation which was said to have been used on his side of the House. Now, he would say, that there were some acts of the Administration which did not merit such an eulogy; and, just by way of parenthesis, he would mention a fact (rather inconsistent with the character attributed to it by his hon. friend),—namely, the obtaining a verdict by somewhat curious means on a late occasion, in Dublin. He would say, that he felt no slight curiosity; it would afford him no inconsiderable gratification; if he could discover what were the opinions of the present right hon. Secretary with respect to the Established Church in Ireland. The sentiments of his predecessor were well known. He started in life the acknowledged champion of the Church; he never concealed the fact; he boldly and unflinchingly maintained his chivalry in the cause of the Church. He believed, however, the present right hon. Secretary had had a good deal of experience in Ministerial changes; he had, he believed, supported the cabinets of Lord Liverpool, Mr. Canning, Lord Goderich, and the Duke of Wellington, as well as the present. And he had, therefore, no slight difficulty in eliciting from these facts what the peculiar views of the right hon. Gentleman were. The views of the present Lord Chancellor of England were well known, and so were those of many hon. Gentlemen on the other side of the House; but the peculiar views of the right hon. Secretary on this subject merely afforded a field to the imagination of the hon. Gentleman who had pronounced a panegyric upon his policy. His hon. friend had said, that the question of the application of tithes had not yet been decided upon, and that it was not even yet a subject of discussion. Now, in the King's Speech were the following words:—" I recommend to you the early consideration of such a final adjustment of the tithes in that part of the United Kingdom as may extinguish all just cause of complaint, without injury to the rights and property of any class of my subjects, or to any institution in Church and State." Was there not, he would ask, something decisive in that? Could it be said, after the reading, that the question of application was not before them? Why, then, was not the question of application at once brought to issue? He asked the hon. Gentleman opposite, who had dealt in such eloquent praise of Ministers, what excuse he could give for such an omission? It was indigenous to the case, and should have been introduced and disposed of. The Tithe Bills which they had brought in were found wholly ineffectual; and many of the evils of those measures must necessarily be revived by the present measure. The one which vested the arrears of tithes in the Crown, though it armed the Attorney-General with the most extensive powers for their enforcement—though a large army was called out for their collection—completely failed in procuring the payment of tithes. But on what ground did the right hon. Gentleman believe that this plan would be more successful than those which had preceded it? Would it materially diminish the number of tithe-payers? Why, they heard from the right hon. Gentleman, that, in sixty-two parishes alone, they had now sixteen thousand tithe-payers, who, by the operation of this measure, would probably be reduced to 9,000. Thus, in sixty-two parishes only, they would have no less than 9,000 occupiers paying, or rather liable to pay, this land-tax. Thus the diminution of difficulty in collection, so far as it depended on diminution of numbers, would be very little; and as the class of persons who would be liable to pay the land-tax was the same as that which now paid tithes, they would still be subject to the evils of which they now complained under the Tithe Composition Act. If the occupiers would not now pay tithes, how could they expect the same persons to pay a land-tax? He appealed, not to speculation, but to facts, and on the same ground that previous legislation had proved unavailing, on the same ground did he tell them, that the present proposition would prove equally futile. It was not fair to call on those who acted with him to produce a plan in opposition to this. Such extempore legislation could not be expected; and it was for the Government to defend their own plan on its own merits. If the Government had attended to the advice which his party had given it in 1832, they would have avoided many of the evils which they had entailed upon themselves. The question of appropriation was everything. They complained of agitation: let them take away its groundwork; but the present Bill would not touch the cause of the agitation complained of. He was not one who called for the subversion of the National Church, but he required that it should be put upon a footing more adapted to the wants and feelings of the people of Ireland. He would conclude with this remark,—that, before the Catholic question was settled the people of Ireland refused to submit to tithes. Before then, the peasantry revolted against their payment; and now that the Catholic Question was settled—now that Roman Catholics were placed on the same constitutional level with the Protestants,—now that thirty-three Catholics had seats in that House, and were backed by the support of a large majority of the people of Ireland,—now he told them, that it was not in their power to maintain the National Church as it stood; and that they who vainly endeavoured to maintain it, would themselves be crushed beneath its ruins.

Mr. *Henry Grattan* stated, that he felt much embarrassment, as he was sorry he could not agree to the Resolutions. On these grounds he objected,—first, that the compulsory composition was the amount taken for future payment,—second, that land was to be given to the clergy in lieu of tithe,—and third, that no statement was made as to the ultimate appropriation and distribution. The King's Speech, and that of the right hon. Secretary, held out the hope that this was to be a final settlement. Ireland had had many such promises made, and few of them kept. In 1782, she was told, that there would be then a final settlement; this Mr. Pitt denied, and said it was no final settlement. In 1799 and 1800, Ireland was told there would be then a final settlement; and on that occasion the present Lord Grey declared, it would prove not to be a final settlement; and, on the present occasion, it was probable there would be the same predictions and the same result. If the right hon. Secretary, of whose good intentions towards Ireland he was fully persuaded, had been more explicit on the points alluded to, he would have saved Government much trouble. A Reformed House ought, and would support them, in a resolution as to the future distribution of tithes, and would bring them back to their original purposes,—the support, not only of the clergy, but of the poor, the disabled, and the distressed. Charity, as well as religion, were just objects for a claim to support from this House; therefore he submitted, that a resolution with regard to the original division of tithes should have been introduced. With respect to the purchase of land for the Church, he conceived that the Church had land enough already. The complaint was, that Church lands were neglected, and could be distinguished in Ireland on account of their barren appearance and bad cultivation. Why, then, should they increase these lands, respecting which the House had heard loud complaints already? the amount, too, would be considerable; for a clergyman possessed of a living of 200*l.* a-year in tithes, should get, at least, two hundred acres of land—it would give to the country bad farmers, and to the people bad pastors, too much engaged to attend either to the cultivation of their farms, or to the performance of their clerical duties. Further, this allocation of land set at rest the other question of future appropriation; for, if the poor, and the lame, and blind were hereafter to be provided for, they could not be charged upon the land—but they might be provided for, if the tithes were in money

—so that there was an additional objection, inasmuch as this arrangement at the outset precluded the interference, and might prevent the House hereafter from opening the question of application. The resolution stated, that an amount equal to the amount of the present composition was to be the standard; to this a very fair objection might be made. The Bill known by the name of Mr. Goulburn's Bill, raised the tithes; it gave not only what was paid, but agreed to be paid, and this, too, with less cost, and trouble, of collection, for all which a great allowance should be made; for, was any landlord's gross rent-roll his nett rent-roll? Did any layman receive the exact amount of the rent agreed to be paid? The reverse was the case even after the late reductions; so that, while the landlords in Ireland reduced their rents, the clergy and this Bill had raised their tithes. This proceeding appeared worse when they took into consideration the Act of 1832, which rendered the compositions compulsory throughout Ireland. The petitions from the county of Down, which had been presented to the House that morning, and on which he had commented at the time, deserved peculiar notice; those eight townlands that had hitherto been exempt from tithes were brought as under the Act, and all were rendered in future liable to the composition. This was a gross and crying injustice; but it was not only in the county of Down that this occurred; in the county that he belonged to, lands hitherto exempt from tithe were, by the Act of 1832, brought under the composition, and forced to contribute, some at the rate of four and five shillings the acre. At the meetings where this took place there was no Commissioner acting for the parish—the individual named by Government was the sole actor, and the rights of the parishioners had, in many cases, been neglected or violated. This arrangement, therefore, required revision; and such a composition should not be made the standard whereby the future assessment should be regulated, and the incomes of the clergy finally fixed. It was easy to see that the measure was not the plan of the right hon. the Secretary for Ireland; it was in part, the project of his predecessor; his hand was visible throughout. The plan was one, not for the people of Ireland, but for the Established Church. They had had it before them in a less perfect shape since 1832; the right hon. Gentleman at that period selected his Committee; he prepared and brought in the report—this was the plan—and it was stated in the report which lay on the Table. First, it declared, it would not say anything in favour of the allocation or appropriation for charitable or national purposes (the most important part of the case); next, it advised to compound, and then to give land to the clergy in lieu of tithes. To this the Irish Members objected both in and out of the House; they recorded their objections, and assigned their reasons; and those reasons he held in his hand. Further, they advised the Government—and if the Government were wise it would follow that advice, prepared, as it was, by the Irish Members at their meetings, and fully and well considered—it was as follows:—"They submit, by this third resolution, that the fund to be substituted for tithes should be much lighter in effect than that heretofore produced by tithes; because, they are convinced, that no final or satisfactory settlement of Church claims in Ireland can take place without a previous revision of the appropriation of Church property, an abolition of clerical sinecures, and an arrangement of disproportionate clerical incomes." This was the advice; and Government would act wisely if they followed it; this was not the idle or inconsiderate expression of opinion by a few Members, but the sober and solemn result of discussions and meetings held for the express purpose of aiding the Government in arranging this important question in a manner which, while it secured every present possessor of tithes in the full amount of their rights, sought, at the same time, to set apart a provision for the poor and destitute, so that, according as the incumbents fell in, and their services were not wanted, such portions of tithes might be allocated for charitable purposes. The hon. member for Wiltshire seemed wholly to mistake the question as to tithes in Ireland. The hon. Member thought they always existed there; he was mistaken; tithes did not exist there till the time of the Synod of Cashel in 1172; then they were introduced; but, even then, they were subjected to the deduction of a portion for the poor as well as for the Church and the minister. The ancient records and history would satisfy the hon. Member on this point, if he would take the trouble to refer to them. It was worth remarking, that there was a meeting of Irish noblemen, members of Parliament, and landed proprietors, held in London in 1822, some of the Members of his Majesty's present Government were present, and signed the resolutions then proposed. Those resolutions were favourable to commutation of tithe, but they took care to avoid recommending that land should be given as a provision to the clergy—the reverse, he believed was the opinion of the meeting, and, though not expressed, yet that, he believed, was the sentiment. The document still existed, bearing the names of some of the landed proprietors of Ireland. On this point, he begged to say, that the landlords did not seek to get the tithe for themselves, but they did not wish to become tithe-proctors for the clergy or the Government; whereas, the measure proposed would place them in this state, and, therefore, he objected to it. The landlords were to indemnify themselves for what they paid to the clergy by coming down upon their tenants. Who would do this? Who would succeed in doing it? And what landlord would undertake the office of distraining his tenants for tithes? Government had not been able to collect them; would the landlords be more likely to do it? He would state a conversation which passed between a landlord and his tenant in Ireland. After passing the late Bill, the tenant was told, that he was to be exempted from paying tithes, and that the landlords were in future to pay them, but that they were to be repaid by the tenant in the shape of rent. The instant reply was, "Do you think, that if we beat the police out of the tithes, we would not be able to beat the landlords?" Now, it was against such beating he protested; and he humbly begged to decline the office of tithe-proctor. The Irish landlords would do well to avoid any collisions with their tenantry; and the proposed plan would lead to it. He admitted, that the Government of Ireland was placed in great difficulties; it had to deal with two parties, which was not a very easy thing. He, for one, should be the last man who would feel disposed to embarrass the Ministers; but he anxiously hoped there was one party they would attend to, and whose interests they would alone consult, that was the people of Ireland. He believed that Ministers wished well to the country, and wished to act well; ut they must listen to her voice. He did not think that Ireland would be content unless there was another mode of appropriation of tithes, and a charitable distribution of them. For that reason, he should propose, by way of amendment, the sentiments expressed in 1832; and though he much regretted being obliged to oppose the Resolutions of the right hon. Secretary, yet as he did not think that they expressed what the people of Ireland wished for, he should move, after the first Resolution, that the following be substituted:

"Resolved—That, in coming to this Resolution we recognize the right of persons having vested interests, and declare that it is the duty of Parliament to provide for those persons, by making them a just compensation.

"Resolved—That we also recognize the liability of property in Ireland to contribute to a fund for supporting and promoting religion and charity, but that such fund may, and ought to be, quite different in the mode of collection, and much lighter in effect than that raised by the system of tithes.

Resolved—"That we are also of opinion that the mode of levying, and the application of such fund, and its distribution ought to be left to the decision of Parliament.

Lord *John Russell* said, he should not have risen, were it not for the appeal made to him by the hon. Member who spoke last. He could assure that hon. Gentleman, that any opinions he before expressed upon the subject of appropriation remained unchanged; and he could easily reconcile them with this proposition of a land-tax in lieu of tithes, and of a permanent redemption of that land-tax afterwards. As the hon. and learned Gentleman well knew, he differed from several of his colleagues in the Administration as to the appropriation of this property; but upon the question on which the hon. and learned member for Dublin had that night declaimed, he believed that there was no difference of opinion in the Ministry. The hon. and learned Gentleman proposed that two-thirds of the present amount of tithes should be utterly abolished, and that the remaining one-third should be applied to the same purposes to which the Grand Jury cess was now applied; or, in other words, that it should be substituted in place of another burthen to which the land was already liable. But this was nothing more than abolishing tithe altogether; it was a direct act of robbery, neither palliated nor disguised; it was a mere act of confiscation, which assumed the appearance of giving relief to the miserable and vexed occupiers of the soil, but which, if it should be adopted by the Legislature, would give relief to none but the affluent landholder. On the question of appropriation, he might have the misfortune to express opinions at variance with those of some of his colleagues; but, on this question, he gave his vote, in the full reliance, that it would be in accordance with that of all the Ministers, and of the majority of that House, unless, indeed, they were prepared to abandon all the rights of property, and to say, that all means, even the most illegal, even such as were attended with tumult and bloodshed, might be used to conduce to an end not less disgraceful and calamitous than the means employed to carry it were violent and unholy.

Sir *Robert Inglis* said, he had been silent hitherto, not because he did not entertain a just sense of the importance of the question, but from knowing that he should have other opportunities of speaking upon it. The origin of tithes, and their rights of appropriation, had been often and ably discussed, so that very little that was new could now be said upon the subject. His object in rising was not to repeat what had been said, but rather to supply what was unsaid. He regretted much that the right hon. Gentleman who moved the Resolution, did not, in the course of his observations, advert at all to the question of appropriation. He lamented that he did not advert to it for the purpose of declaring explicitly, and at once, that he would never assent to such a principle as had been advocated by some of the Gentlemen from Ireland. As his right hon. friend proposed the Resolution in such a way as did not call upon the House to prejudge the question, he would not oppose it. It seemed to him, as he understood it, that the effect of the intended measure would be to reduce the property of every incumbent, not from 50*l.* to 32*l.*; but to something like 64*l.* per cent. His right hon. friend (Mr. Littleton), indeed, said, the reduction would only be in the proportion of 100*l.* to 80*l.*, but, taking all circumstances into the account, the reduction must be greater than that. He would say no more, but reserve himself for some future stage of the measure.

Mr. *Barron* said, that he must object to the resolution proposed by the right hon. Secretary, inasmuch as it held out no prospect of relief to the occupiers of land in Ireland. The right hon. Secretary seemed disposed to think the measure would be final. But it certainly could not be a final measure, and he much regretted that a final measure was not proposed. It must prove a source of great discontent. It would make the landlords coalesce with the occupiers, to get rid entirely of a contribution which he should be glad to see preserved for the purpose of being applied to State purposes. For his part he never did contemplate or desire any reduction in the amount of tithe property. He wished to see it applied beneficially and dealt with by the State for public purposes. The State had just as good a right to dispose of it as he or any other man had to dispose of his private property. In the Irish Parliament tithes had been always treated as public property; and it was going too far to alienate the whole of this fund for the use of the clergy of a minority of the population. He, and those who thought as he did, claimed for the poor and for the Catholic clergy part of that which was originally granted to them. For the space of five or six hundred years, tithes had been always collected with great difficulty in Ireland. The inhabitants of that country never gave a hearty assent to them. They were imposed first by a foreign King, by Henry 2nd, in the year 1172. He was the first who conferred the power of collecting tithes by force of arms; and this circumstance, he had no doubt was the origin of that hatred with which tithes had ever since been regarded in Ireland. They never had been freely paid for a space of even ten years together. The same objection would continue to be felt until this fund was made applicable to useful public purposes. Until this was done the people of Ireland would not be at peace. They would think themselves unjustly treated, and have no confidence in a British Legislature. Every person acquainted with Ireland must feel convinced that a measure of this kind must be mischievous, or at least that it would be productive of no useful object. His main objection to it was, that it would afford no relief to the peasantry; on the contrary, it would only aggravate their difficulties and discontent. When the landlord, by the proposed measure, would pay only 80*l.* he might call upon his tenant to pay 100*l.* That was unfair. The tenant, and not the landlord, should have the full benefit of the measure. There were many Gentlemen in that House who were calling loudly for a system of Poor-laws in Ireland. This, if added to the land-tax now proposed in lieu of tithes, must almost beggar the landlords. It would amount to rapine, and robbery, and spoliation. What was worse still, it would put the landlords and their tenants at daggers-drawn. The inevitable consequence, in the long run, would be to rouse the whole of Ireland as one man against the Government, and shake it from its place.

Mr. *Christmas* expressed his gratification at finding that the right hon. Secretary for Ireland had at last put this question upon its right footing. Without entering into the question of its appropriation, he had called tithe the property of the Church. It was the property of the Church, and therefore, the property of the nation. It was foolish to determine on the appropriation of that property without ascertaining whether there was any property to appropriate. The hon. and learned member for Dublin had declared that his plan went to abolish two-thirds of the present amount of tithes. He did not exactly understand how the hon. and learned Member was to do that; but even, when it was done, he had not got rid of the difficulty. If one-third of the present amount of tithes were still to be retained, as the hon. and learned member for Dublin proposed, would the Irish farmer, who now refused to pay any tithes, consent to pay that portion? He thought not. He would, however, go still further, and say that the giving up of tithes altogether would be no benefit to the farmer of Ireland, but only a benefit to his landlord. The people of Ireland were always inclined to jump to conclusions. They seemed to think that systems, the growth of centuries, were to be removed, not by gradual and cautious alterations, but at a blow. This was the idea on which they ever appeared to act; but it would not always attain the desired result; and even the great agitator himself might find at last the fierce democracy he had roused turn round upon him and refuse to submit longer to his control. With respect to the measure detailed by the right hon. Secretary for Ireland, it appeared to him of rather a complicated nature. He would therefore refrain from giving any decided opinion upon it until it came regularly before the House. It was at all events evident that whatever became of the tithes, the occupying tenant must be relieved from them. He should vote for the original Motion.

Mr. *Lalor* thought, that the tithes would never be paid again in Ireland but by compulsion. The great error of modern legislation was, that measures were framed and carried through without reference to the feelings of the people. He warned the House against falling into that error upon the present occasion. He hoped the landlords would not be made compulsory collectors of tithes.

Mr. *Fitzgerald:* I am very sorry to say that I am much disappointed and dissatisfied with the measure proposed this evening by the right hon. Secretary for Ireland; for while all the grievous burthen of tithes is proposed to be continued, the appropriation of them, which after all should be the main point of settlement, comprehending as it does the real object of relief, is not alone withheld, but postponed to an indefinite period. Sir, I repudiate the idea that the tithes should fall into the landlords' pocket, and as far as my knowledge goes, I know none who seek or desire such a benefit; but at the same time I protest against the landlords being thus made liable for an odious impost, or being converted into tithe-proctors for the Irish parsons. As well might this House call on the landlords of Ireland to undertake the collection of any other tax as to compel them, *nolens volens*, to gather in the tithe. If, however, they were willing to make such a sacrifice, they should at least be satisfied that the peace and welfare of their country would be the result; but any such hope must be wholly out of view from the present measure; for again I beg to say, that in my opinion it is the appropriation of the tithes in Ireland that constitutes the main source of all the evils and the heartburnings of the present system. Had the resolutions of the right hon. Secretary been met with a direct negative, I should have voted for them, in order that we might see the details of the intended measure, without any pledge of supporting them; but looking to the amendment that is proposed, and particularly in the absence of any remedial measure whatever, I should not be doing justice to myself or the landlords of Ireland, if I did not support it, and oppose a measure of the description proposed in the original resolutions.

Mr. *Charles A. Walker*—Sir, I cannot give my approbation to the measure proposed by the right hon. Secretary. It is as objectionable and as unjust as the compulsory Composition Act, passed in the last Parliament, and which it takes for its basis, and only differs from it in changing the name of the tax which is sought to be substituted for it. The objections to tithes and compositions for tithes in Ireland are fourfold—namely, the appropriation, which, after all, is the leading grievance; the amount levied; the unequal proportions in which that amount burthens the several parishes throughout Ireland, as compared with each other; and lastly the mode of collection. Now, the proposed measure does not remedy one of those objections; it leaves the appropriation as before; it continues the burthen undiminished; it perpetuates the unjust and unequal apportionment of the tax upon the several parishes; and it merely alters the old mode of collection, by substituting one more grievous, and which, for many years to come will still bring the collectors into collision with the occupiers in every part of Ireland which is at present under lease. The Amendment proposed by the hon. member for Meath is, in fact, the memorable resolutions agreed to by the Irish members in the last Parliament who opposed the compulsory Composition Bill. The Amendment acknowledges that tithes are public property, and that their appropriation is at all times open to the disposal of Parliament for public purposes—that the present incumbents have a life interest, and are entitled, in the first instance, out of that fund, to a fair and just compensation. What was meant by a fair and just compensation by no means goes to the extent that the clergy shall continue to receive incomes equal in amount to their former nominal tithes; for the composition unquestionably should be considerably below that nominal amount, as well on account of the increased facility of receiving it clear of expenses, as also its increased security, which would at least double the value of that species of property, and which increased value the tithe-owner should purchase by a considerable reduction in the amount. His Majesty's speech, in recommending the settlement of this question, desires that the interests of all his subjects shall be attended to; but in the proposed measure no interest is preserved or attended to but that of the Church, while that of the laity is trampled under foot without mercy. In one small parish, near where I reside, in the county of Wexford, the small tithes never amounted to more than 30*l.* per annum; the commissioner has laid on 60*l.* to be paid in future for those tithes. In a parish in Meath it is stated the parishioners many years ago converted their tillage lands into pasture, and thus legally reduced the tithes, in amount, owing to the Agistment Law in Ireland; but the compulsory commissioner now rates them as if they had been under tillage, and has added to the tithes of that parish one-fifth increase of the amount, and has the impudence to state, as his reason for so doing, that it was to make up for the supposed reduction by the operation of the Law of Agistment; thus the tithes of this parish have been increased in defiance of the law. The great and intolerable grievance of the proposed measure is, that in its mode of apportioning this perpetual tax, it takes for its basis the unjust principle of the Composition Act; it subjects the parishioners of one parish to a land-tax perhaps double in amount to that to be paid by those of an adjoining parish equal in every other repect, merely on account of temporary circumstances having caused the actual amount of the tithes at the present moment to differ. Thus, if the tenants in one parish have chosen to grow more corn for a few years past—if they have had an extortionate, cruel, and litigious parson and tithe-proctor:—if the parishioners have not been litigious, but peaceable, industrious, and obedient to the law, then for the time being the tithes of that parish have been screwed up to the highest rate, and the reward that parish now meets from the present Ministry is, that the burden which is now great on them from temporary causes, is to be perpetuated upon them for ever. Again, let us look to some other parish: the land perhaps (and such is frequently the case) of a much better quality than the former, of equal extent, but for some years the parishioners have considered it more profitable to graze than to till it, the agistment tithe not being legal; therefore in such parish the amount of tithe will be small, so long as that system of agriculture prevails there; or should the parishioners have been refractory and litigious, and the tithes could not be obtained, or if the parson has been a moderate and merciful man;—under all those circumstances, the amount of tithes paid for a few years past has been small, and this parish will thus derive perpetual advantage over its unfortunate neighbour, by paying a small proportion of the general land-tax, merely on account of temporary circumstances; while the quiet parishioners of the former parish will learn the useful lesson, that had they been as refractory as their neighbours, they would have been as fortunate in the result. The inequality being perpetuated, so will the discontent. Again, see what injustice will be done to the several landlords of Ireland—this law fixes henceforth a certain sum-total, as the amount which Ireland is to pay for a permanent commutation of tithes; and it says, that as each landlord has purchased or inherited his estate, subject to the tenth of its produce belonging to the Church or the public, that he shall, immediately or ultimately, as the case may be, be responsible for the payment of a portion of this tax, and be allowed to redeem it by paying a certain sum of money. Now, it is clear that every man's estate, which was not tithe-free, was inherited or purchased, subject in law to an equal liability, and the just mode of laying on this land-tax would be, to ascertain the relative value of each estate, and apportion it accordingly. But the measure proposes quite a different mode: one man's estate will escape from all future liability to be tithed, on paying a land-tax of perhaps only three pence per acre, while another less fortunate landlord will have to purchase off the same liability by paying, as his proportion of this tax, for ever, a land-tax of five, seven, and, as in one instance which I could mention in the county of Wexford, ten shillings an acre, for land of a much inferior description. No good reason can be given for thus making the unjust inequality of this tax perpetual, when it does not arise from natural, but from temporary and accidental causes alone.

The Committee divided on the Amendment: Ayes 42; —Noes 219: Majority 177.

A second division took place upon an Amendment similar to that moved by Mr. Grattan, which was moved by Mr. O'Dwyer. The numbers were—Ayes 66; Noes 190: Majority 124.

The original Resolution was agreed to.

THE AYES—*On the first Division.*

Attwood, T.
Blake, M.
Bellew, R. M.
Brotherton, J.
Butler, Hon. Col.
Chapman, M. L.
Evans, George
Faithfull, G.
Fielden, J.
Finn, W. F.
Fitzgerald, T.
Fitzgibbon, Hon. H.
Fitzsimon, C.
Fryer, R.
Kennedy, T. F.
Lalor, P.
O'Connell, D.
O'Connell, M.
O'Connell, J.
O'Connor, Don
O'Connor, F.
Oswald, R. A.
Parrott, J.
Roche, W.
Roche, D.
Roe, J.
Ruthven, E. S.
Ruthven, E.
Talbot, J. H.
Vigors, N. A.
Wallace, T.
Wallace, R.
Williams, Col.

THE AYES—*On the second Division.*

Attwood, T.
Aglionby, H. A.
Butler, Hon. P.
Brotherton, J.
Bellew, R. M.
Briggs, R.
Barron, H. W.
Blake, M. J.
Clay, W.
Cobbett, W.
Chapman, M. L.
Davies, Col.
Divett, E.
Evans, G.
Ewart, W.
Finn, W. F.
Fitzsimon, C.
Faithfull, G.
Fielden, J.
Fitzgerald, T.
Fryer, R.
Fitzgibbon, Hon. R.
Gisborne, T.
Hardy, J.
Hawes, B.
Hutt, W.
Hall, B.
Humphery, J.
Kennedy, T. F.
Lloyd, J. H.
Langdale, Hon. C.
Lalor, P.
Lambert, H.
Molesworth, Sir W.
O'Connell, D.
O'Connell, M.
O'Connell, J.
O'Connell, M.
O'Connor, Don
O'Connor, F.
Oswald, R. A.
Ormelie, Earl of
Oliphant, L.
Parrott, J.
Roebuck, J. A.
Richards, J.
Ruthven, E. S.
Ruthven, E.
Roche, D.
Roche, W.
Roe, J.
Sheil, R. L.
Talbot, J. H.
Talbot, J.
Vigors, N. A.
Vincent, Sir V.
Wallace, T.
Walker, C. A.
Williams, Col.
Wood, G. W.
Wason, R.
Ward, H. G.

DISTRESS FOR RENT (IRELAND).] Mr. *O'Connell* rose for the purpose of moving for leave to bring in a bill to amend the law relative to distress for rent in Ireland. The first Amendment he had to propose, would go to diminish the costs which very often ruined those small farmers who were distrained upon. Another Amendment he wished to introduce had reference to the goods seized under distress for rent. At present goods taken in distress for rent could not be sold under fifteen days; seven days were allowed for their valuation, and seven days were allowed to the tenant to redeem them; and the fifteenth day was always appointed for the sale. It very often happened that, in case of cattle being seized, the poundkeeper allowed the tenant to retain them, on his giving security; but that was a matter of grace and favour. He (Mr. O'Connell) had known many cases in which the poundkeepers, being afraid to offend the landlords, had refused to let the tenants have their cattle out of the pound, notwithstanding they offered the most ample security. He had known instances of poor men's cattle having been impounded, which, at the end of fourteen days, were not worth one-third of what they were when they were seized. It was formerly the law in this country, that Sheriffs, when they arrested on mesne process, could retain a debtor in custody till judgment took place; but, by an Act of Henry 6th, it was made compulsory to accept good bail or adequate security. Now he (Mr. O'Connell) proposed that the poundkeeper should be compelled to liberate the cattle till the expiration of the term allowed by law previous to the sale, provided good security was tendered; and it would be for the tenant to prove the solvency and sufficiency of the security. He thought that no one would say, that this, in the least degree, could be injurious to the landlord. In consequence of the present law great hardships were often inflicted on the tenants, and he did not conceive that there could be any objection to the introduction of the Bill.

The motion was agreed to.

POST OFFICE, IN THE NORTH AMERICAN COLONIES.] Mr. *Secretary Stanley* rose to move for leave to bring in a Bill to enable the Legislatures of his Majesty's Colonies in North America to alter and amend the laws relating to their internal postage. He believed that there would be no objection to his Motion, as the object he had in view was to remove an evil which had given rise to many complaints. The matter did not involve any principle, but rather was of a technical or legal nature. In the North American Colonies the charges for the postage of letters were levied under the orders of the Postmaster-General, without any control existing on the part of the Local Legislatures. The sum received for postage, which was not very large after deducting the expenses, was brought to the general fund of the Post-Office. The present arrangement was made by the Act of 1788. In consequence therefore, of its being made by an Act of the British Parliament, it was necessary to apply to the House on the subject, as it was obvious that it could not be repealed by an Act of the Colonial Legislature. The whole object of the measure was, to give to the Local Legislatures power to make regulations as to the internal postage, and to fix the rate of postage, which he trusted would not be higher than it was in the United States, and which certainly would be considerably lower than it was now in the Colonies. After deducting the expenses of collection, the surplus would be left wholly and entirely at the disposal of the different Local Legislatures. He thought that it would be better not to have different rates of postage, and to obviate that, it was intended that the general expenditure of the whole should be deducted from the general revenue. In the Bill, provision would be made, by which, if the different Local Legislatures should agree as to another mode of distributing the surplus, they should be enabled to do so.

Mr. *Hume* expressed his satisfaction at the proposition of the right hon. Gentleman, and hoped that this measure would be followed up with others of a similar nature. He always entertained the opinion that this country should interfere as little as possible in the internal government of the Colonies.

Mr. *Roebuck* said, that in consequence of his connexion with Canada, he was anxious to express the great pleasure he felt at the measure now proposed. He was sure that it would give great satisfaction in the Colonies, and he hoped that ere long the Colonial Legislatures would be empowered to exercise an efficient control over other matters connected with their internal government.

Leave given, and Bill brought in.

HOUSE OF LORDS,

Friday, August 21, 1834.

MINUTES.] Bill committed :—Turnpike Acts Continuation. Petitions presented. By the Earl of DURHAM, from the Dissenters of Sion Chapel, Bridgewater, for Relief.

POOR LAWS COMMISSION.] Viscount *Melbourne,* in laying on the Table the Report of the Commissioners who had been appointed to inquire into the propriety of making some alteration in the laws for the relief of the poor, begged leave to recommend the Report to the serious consideration of the House; and he called on their Lordships to adopt such measures as were imperatively demanded by the extreme urgency of the case. Too much praise could not be given to the Commissioners for the unwearied and laborious attention which they had paid to this important subject. That some errors might have crept into the Report was not impossible; but he was bound to say, that the utmost attention had been paid to the subject in all its details, and a most valuable body of information had been collected. Two right reverend Prelates who were Members of that House, and several other individuals who had many other duties to perform, had gratuitously sacrificed much time in pursuing this investigation, and deserved, in his opinion, the grateful thanks both of that House and of the country at large.

The Report to be printed.

PLURALITIES—CASE OF MR. DAWSON.] The Earl of *Durham* said, the next petition which he had to present, and of which he had given notice yesterday, was from the inhabitants of the parish of Allhallows, Lombard-street, complaining of the appointment of the reverend F. Dawson to the rectory of that parish, on the ground of non residence, and also on account of the reverend gentleman being in the possession of several other benefices. The petition set forth that the reverend gentleman was rector of Chiselhurst, rector of Orpington, prebend of Canterbury, sub-dean of Canterbury, and lastly, rector of Allhallows, Lombard-street. The petitioners stated, that "the object of the Established Church was to provide the most effectual means of religious instruction to the people, for which purpose the Legislature had provided funds, amply sufficient for the support of a respectable, educated, and efficient ministry; and they contended, "that while they were compelled by the law of the land to furnish those funds, they had an undoubted right to have the services of a resident clergyman." They felt that they had a right to complain of the conduct of the Dean and Chapter of Canterbury in appointing this reverend gentleman, who was rector of Chiselhurst, and who held several other situations, to the rectory of Allhallows, he being a non-resident. They had already they observed, suffered from the evil of non-residence, inasmuch as the predecessor of the present rector, the reverend Mr. Browne, had for a period of eighteen years, during which he enjoyed the rectory, resided at Woodstock, in Oxfordshire. The emoluments derivable from the living were sufficiently large to command the services of a resident minister. The tithes amounted to about 400*l.* a-year; there was a parsonage-house which let for 60*l.* a-year; and the fees for burials, marriages, &c., averaged about 400*l.* a-year. The petitioners had nothing to say against the moral character and irreproachable conduct of the reverend gentleman, but they felt that, whatever his merits might be, his non-residence in the parish effectually deprived them of his services. They also stated, that the curate was likewise non-resident, so that the parishioners had no spiritual adviser among them. These were the points of which the petitioners complained, and they prayed their Lordships to supply a speedy and efficient remedy to the abuse. He could not help thinking that the case of the petitioners was a very hard one, and was well deserving the serious attention of the House. He had felt it to be his duty to present this petition, which was drawn up in most respectful terms. In doing so, he disclaimed all intention of casting any imputation on the reverend gentleman mentioned in it; he merely introduced the subject to which it referred as forming part of a system which called for, and which he hoped would receive, the mature consideration of his noble friend near him (Earl Grey). He entirely concurred in the sentiments of the petitioners, and he thought that the law which now existed, and which permitted such a state of things as the petitioners described, ought to be immediately altered.

The Archbishop of *Canterbury* said, after the very cool and temperate manner in which the noble Earl had brought forward this petition, there was no necessity for him to trespass long on their Lordships' attention. He had no cause whatever to complain of what had fallen from the noble Earl. In fact, the objection which the noble Earl had made was against the system, and not against the person of this reverend gentleman. Indeed, the noble Earl's objection applied not so much to this particular place, as to many others which were similarly situated under the present state of the law. He entirely agreed with the noble Earl, that the state of the law, as it now stood, was very unsatisfactory; and he could say, with truth, that it was not his fault that it was so. Two years ago he had brought forward in that House a Bill on this very subject. That Bill had met with the most determined, the most violent, opposition. It was debated night after night, and clause after clause, but was at length carried through that House. He then thought that it was done with—but he was mistaken. When he introduced that measure, he said, that, if it became law, it would do away with two-thirds of the pluralities in this country; but, from information which he had since received, he had reason to believe that it would have removed five-sixths of the pluralities. Had that Bill passed as it was sent to the House of Commons, it would have been impossible that a case like the present could have been brought under their Lordships' notice that night; for, amongst other provisions, it enacted, "that no one holding a prebend should be capable of also holding livings in plurality." Now, as to the case immediately before the House, it was not his intention to say anything of the reverend gentleman to whom it referred, because no attack had been made on him. He was rector of Chiselhurst, and he was also rector of the sinecure living of Orpington, in the same neighbourhood, which was worth about 40*l.* a-year. The great tithes being held on lease for life, the occasional renewal was probably valuable; he could not say exactly to what extent; but he should suppose about 400*l.* This reverend gentleman having been chaplain to the House of Commons, was recommended to his Majesty for preferment; and not many months ago he became a prebend of Canterbury under that recommendation. Since that time the living of Allhallows, Lombard-street, had become vacant, and was given to this reverend gentleman. By the statute, the Dean and Chapter of Canterbury were bound to offer all preferment that fell in to members of the chapter. Under a positive law, they were compelled to give to members of their own body the option of accepting such preferments. The living in question came to Mr. Dawson under these circumstances. As to the propriety of his taking it he should not make any observation. Undoubtedly, as the law of the land now stood, he had a right to take it; and sorry he was that the reverend gentleman had that right. He believed, however, that the other living was so small, that the reverend gentleman might with great propriety devote a large share of attention to the duties of his living in London; and the reverend gentleman had apprised him that it was his intention to be there frequently in person. The curate who formerly officiated had died. Another gentleman had been appointed to the situation a short time since; and he had no doubt that the spiritual concerns of this parish would be very well attended to under a curate who had had considerable experience in large parishes, and with whom he was well acquainted, as that individual had been long under his jurisdiction when he was Bishop of London. He had no reason to trouble their Lordships longer on this occasion, except to assure them, that after all the obloquy which he had experienced in consequence of his former exertions, he was rather discouraged from meddling with legislation in that House. He should, however, be always ready to lend himself to any plan for lessening the evil of pluralities, or for removing any other evils connected with the Church, so far as it could be adopted with safety and advantage to those interests which were necessary to the well-being of the Church. When he considered the time which he had sacrificed, the expense to which he had been put, and the abuse which he had incurred, on account of the Pluralities Bill, he certainly felt some degree of discouragement. That Bill, he was confident, would have done much good; for it was a Bill that empowered Bishops and Chapters to alienate a portion of their own property for the benefit of the poorer clergy.

Petition laid on the Table.

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HOUSE OF COMMONS,

Friday, February 21, 1834.

Minutes.] New Writ issued. For Dudley, on the Motion of Mr. Spring Rice, Sir John Campbell having accepted the Office of Attorney General.

Petitions presented. By Mr. Feargus O'Connor and Mr. Shiel, from two Places in Ireland,—for the Repeal of the Union.—By Mr. Henry Grattan, Mr. Shiel, and Mr. Finn, from a Number of Places, against Tithes.—By the Marquess of Chandos, Lord Norreys, and Mr. Cartwright, from several Places, for the Repeal of the Malt Tax.—By Mr. Hodges, from High Halden, for a Commutation of Tithes.—By the Marquess of Chandos, from several Places in Bucks, for Relief to the Agricultural Interest.—By Mr. Tracey, Mr. Tooke, and Mr. Wilks, from a Number of Places,—for Relief to the Dissenters. —By an Hon. Member, from two Places in Wales, against any Alteration in the Corn Laws.—By Sir Stephen Glynn, from two Places—for the Better Observance of the Sabbath.—By Mr. Murray, from Leith, against any alteration in the Timber Duties; and also for the Repeal of Stamps on Receipts.

The Brighton Guardian—Libel Law.] Mr. *Wigney*, on presenting the Petition of Mr. Levy Emanuel Cohen, Editor of *The Brighton Guardian* newspaper, for remitting the sentence of imprisonment against him, assured the House that he would not unnecessarily occupy their time in reading at length the whole of the petition, but would confine himself to a few of the leading points, making a few observations on the peculiar hardship of the petitioner's case, the most striking of which was the length of the imprisonment and the circumstance of his incarceration being fixed in a distant county, out of the reach of his friends but through the medium of a tedious correspondence. Why should he not have been sentenced to a gaol in his own county? or at all events within one post of his home, where he had left an aged mother to whose subsistence he had for years mainly contributed by his own industry? There were many other points which might be adverted to; but he would not trespass on the patience of the House. The hon. Member concluded by congratulating the House and the country upon the Motion for the amending of the Libel Law, introduced by the hon. and learned member for Dublin, and which he trusted would meet with the sanction and support of his Majesty's Ministers.

Sir *Charles Burrell* said, he could not help expressing his surprise and regret, after the statement of the hon. member for Brighton, of his having given notice of his intention to present this petition, that not one member of the Government was present to take notice of the complaints of the petitioner. He could only attribute it to neglect, or some extraordinary pressure of business, which prevented their attendance, for this petition was one of some importance, and should have been answered by a proper Minister of the Crown. But, not seeing either of the members for the county of Sussex in their places, and being himself one of that Bench of Magistrates at Horsham, to whom the libel referred, he felt it his duty to offer a few words on the subject. He should feel some delicacy in speaking of this individual, for reasons which affected him personally; but this party who came forward to-day, under the garb of an innocent man, had, on two previous occasions, been convicted of libels on various individuals. That ought not to be kept entirely out of view. He felt it his duty to inform the House of this circumstance, because they ought not to receive the petition blindfolded, before they were made acquainted with the character of the party from whom it sprang. The petitioner had already been convicted of libels. With regard to the parish of Horsham, which was eulogised by the libel, he knew of no particular eulogy that it was deserving of; he only knew that, in the neighbourhood, great endeavours were made to find employment for the poor; that good and sufficient employment had been sought, and proper remuneration given. That was the object the Magistrates had in view. In his judgment, much of the agricultural distress, which had occasioned the prevalence of incendiarism in the county of Sussex, arose, in a great measure, from the wages paid to the labourers. As to the Labourers' Employment Act, which he had the honour of introducing last Session, he regretted very much that it had been rejected, for he felt convinced, that it would have gone a great way to remedy the evil, for he believed that throughout England there had been no instance of these acts of incendiarism taking place where a Labour-rate Bill had been put in force. That fact spoke volumes in favour of the Bill, and, he thought, showed that it ought not to be rejected. He would not detain the House further, only he had thought it right, in the absence of other information, to state what he knew of the petitioner. He had never seen either Mr. Cohen or his paper, but from what he had heard of him, he believed his public character was liable to much and deserved animadversion.

Lord *William Lennox* said, he did not think it was proper to enter into a discussion on the private libels alluded to by the hon. member for Shoreham; they were not before the House; but the question was, whether, in the present instance, the petitioner's punishment did not exceed the offence for which he was now suffering incarceration in Chelmsford gaol. He (Lord W. Lennox) had no personal motive in the matter, or predisposition in favour of Mr. Cohen, who ever since he had conducted *The Brighton Guardian*, had done nothing every week but libel his family; but he nevertheless thought in this instance the utmsst severity had been adopted towards the petitioner. In the first place, the petitioner denied being the author of the paragraph, and then, when brought up for judgment, he was entirely exonerated by Mr. Justice Parke from the charge of exciting the peasantry to acts of incendiarism; and yet, from the month of March to the middle of November, the editor had suffered under the scandal and opprobrium inseparable from so foul an accusation. Then there was another fact which ought to be borne in mind, which was, that although previous to the publication of this paragraph, there appeared a disposition among the misguided peasantry to renew the devastating scenes of 1830 and 1831, yet, from the time of the appearance of this paragraph, there had not been a single fire during the whole of the following, winter. That showed that the paragraph did not do a great deal of mischief, indeed he thought that Mr. Cohen did not know that the paragraph was a libel, and he only received it late on the night before publication, which fact ought also to have been taken into consideration. There were one or two remarks made in the petition in which he did not concur, but which, however, he would not allude to. However, he would just observe that Mr. Justice Parke in charging the jury said:—"With the reasons why the Government had not prosecuted, they (the Jury) had nothing to do. The case was now before them, and they were to look at it as it was, without taking that circumstance at all into consideration. One reason why the Government had not come forward might be, that when they did so, there was generally a strong feeling on the part of the people in favour of the defendant, of which, in most cases, the defendant availed himself." Now, why was there such a feeling on the part of the people? Because they thought that this man was aggrieved, that he supported the people, and that he ought not to be punished. He concurred entirely in the prayer of the petition, as far as related to the law of libel, than which a more disgraceful law never existed, and he hoped a speedy alteration would take place in it. He wished the hon. and learned member for Dublin were there, for in offering a suggestion to so able a lawyer, he hoped he should not be deemed guilty of presumption; but he would say to the hon. and learned member who was about to bring in his Bill,—let him take the American Law of Libel for his pattern. It was the best code that ever was; it was found to answer very well; and it had been used in that country thirty years, where there was a much greater freedom of expression allowed than in this country. That law was, that truth was allowed to be brought forward in justification of the libel; but then the Jury had to consider whether that libel was published on public grounds; whether the publisher was actuated by public motives for the general good, to expose vice; or, whether he was actuated by private feelings, and inserted it to gratify private and vindictive feelings. If the Jury believed the man was actuated by public motives, in every such case a verdict of acquittal followed. There was no such thing as a farthing damages carrying heavy costs. He merely through out this hint, and hoped the hon. and learned member for Dublin would make use of it; but, on a future occasion, he should enter further upon the subject of the Law of Libel, which as it stood at present was the grossest absurdity, and was most unjust; it was an injustice which checked the free expression of sentiments without at all controlling the licentiousness of the Press.

Mr. *Feargus O'Connor* was happy the noble Lord had preceded him; he had done justice to the question; and his (Mr. O'Connor's) feelings on the subject coincided with those of the noble Lord. He agreed with the hon. member for Shoreham in reprobating the conduct of Ministers, in not appearing to listen to the present petition; but he must reprobate the conduct of the hon. Member himself, in alluding to the former convictions. The hon. Member should have proved, that Mr. Cohen benefited by the former convictions; for the hon. Member had proved that, though he (Mr. Cohen) had been twice convicted of libel, yet when he published the present paragraph, he did not know he was committing a breach of the law. The noble Lord had told them, that notwithstanding all the editor had done, notwithstanding all his former convictions, he did not know he was publishing a libel. And yet he was to be imprisoned in Chelmsford gaol! This came from the liberty of the Press of the Whigs! This came from the Government which professed to be so liberal! He thought in Ireland only the Government —[Sir *C. Burrell* said, this prosecution was instituted and carried on by the Magistrates of Sussex.] Yes, it was instituted by the Magistrates certainly, and carried on in their name; but they were under the direction of the Government, and the Government awarded the punishment. There had been more prosecutions under this Government to endeavour to put down the liberty of the Press, than under any other Administration, so that if Ministers continued going on thus, the House of Commons would soon have petitions from all the editors in the country, for a convenient prison for them to be imprisoned in. It was a peculiarly hard case that Mr. Cohen was to be removed from his own family, transported into a distant county, and imprisoned for six months for publishing a paragraph, when he did not know he was committing a breach of the law. He concurred in the opinions expressed by the hon. member for King's Lynn, that it was necessary that something should be done, to alter the Law of Libel, or the Press, instead of being the means of defending public liberty, would become the organ of an oppressive and corrupt Government.

Mr. *Sheil* said, there seemed to be but one opinion in the House about the absence of all the responsible members of the Government on the present occasion. There was an agreement made— or at least there was an understanding come to, between the Government and the Members of that House, at the commencement of the Session, that some member of his Majesty's Government should be present to listen to petitions. He thought it would be better that the morning sittings should not be held at all if the members of the Government could not be present. Petitions were presented for two purposes—for the purpose of presenting statements of grievances—facts— and for obtaining an answer from the Government to those facts in each particular case. If the absence of the noble Lord (Althorp) arose from his attendance in council on official business; surely there were so many Ministers Members of that House who were not Cabinet Ministers, that one ought at least to attend and give answers to the petitions. The reference which had been made to the Law of Libel had induced him to take the earliest opportunity of speaking, for the purpose of stating a fact, upon which he was sure the British Legislature would take some strong and immediate measure. That fact was this—that Mr. R. Barrett, the proprietor of the *Pilot* Dublin paper, was prosecuted for the publication of a letter bearing the signature "Daniell O'Connell." The prosecution had been instituted after the Jury Bill had been introduced, by which a Ballot was given in Special Juries. It went off in the first instance for default of Jurors; but it came on again after the Jury Bill had passed, but before it had come into operation. It was strongly pressed upon the Government and the Court, that the trial ought to be postponed till after the first of January, because the Jury Bill would then have come into operation, and such a Jury would be obtained as would try the question fairly. That application was refused. A list of forty-eight names was given by the Clerk of the Crown, out of which twenty-four were to be selected, and out of these forty-eight names there were only four Roman Catholics. The Clerk had furnished the names of but four Roman Catholics out of forty-eight Jurors; and the Crown Solicitor, in the execution of his official prerogative, struck off the names of these four Roman Catholics, and the case went before the Jury—of persons, who, to use a vulgar and strong phrase, were "packed." The Jury then tried the question—a question where the name of Daniel O'Connell was involved was tried by a jury composed of persons, who, he would not say were of one party, but the public conduct of the most prominent individuals on which, was characteristic of factious feelings, and the greater part of that jury was composed of persons of the most aristocratical kind. The matter did not rest there. The defendant was found guilty, with a recommendation to mercy, and sentenced by the Court to six months' imprisonment, and the Court said the recommendation to mercy weighed upon them. And what had been the conduct of Government? They had availed themselves of an act passed in 1815, 55 Geo. 3rd c. 80, and issued an ordinance,—he used the word ordinance because the idea of an ordinance was associated with the whole transaction—to prohibit the granting of stamps to that paper (*The Pilot.*) So that the Government, in the first instance, availed themselves of an Act, not in existence in this country, by which they had incarcerated a man in this way, and not only deprived him of his liberty, but, though recommended to mercy, had deprived him of the means of livelihood. Was this to be tolerated by the British public? Was this a line of conduct to be sanctioned in a country where the liberty of the Press was boasted of as a part of the liberty of the people? They were then told the Irish Government were in the habit of acting in the spirit of fairness. He appealed—not to the Government, on this occasion, but to public opinion—he appealed to British sentiments; and he had no doubt, that it would not be long before a feeling of just indignation (of which he hoped the royal breast had no monopoly) would be evoked from the hearts of the British people at so scandalous—if it were not unparliamentary he would have given vent to the impetuosity of his feelings—but he would say, so unjust, so merciless, and so despotic a proceeding. He would submit the case to their justice, and he had to tell them, that it was one not only entitled to their sympathies, but bound up with their interests.

Mr. *Wilks* agreed in the opinions of the hon. member for Tipperary. He said, he felt a deep regret and deep displeasure at the proceeding to which the hon. member had alluded the moment he beheld the announcement, but, in the absence of the Members of his Majesty's Government he thought it was only due to them to state, that on reference to the Act it did appear, that no discretion was left to the Commissioners of Stamps, but under the provisions of that Act they were particularly ordered, that in case of the conviction of any publisher—The words of the Act were—"That if any printer, or publisher, or proprietor of a newspaper in Ireland shall be, by a due course of law, outlawed for any offence, or convicted of publishing any seditious libel, the said Commissioners of Stamps are hereby prohibited to send or deliver to or for the use of any such printer, &c., any stamped paper for the printing of news." Undoubtedly the words of the Act were specific upon the subject; and no persons connected with the Stamp Office could supply stamps to the editor of *The Pilot* without incurring the penalty under this Act. He felt it only due to the Government, that he should make this statement. He had, however, been informed, that the moment the Government found that this law was put into operation, it was their intention, with the greatest possible expedition, to introduce a Bill by which this compulsory clause should be repealed; and that this outrageous disgrace to the Statute-book should no longer be endured. He perfectly agreed with the sentiments expressed by the hon. member for Brighton. He regretted, and every man who advocated the liberty of the Press must also regret, the extreme severity of the punishment inflicted upon the editor of the *Brighton Guardian.* He regretted, that he (Mr. Cohen) should be transported, as had been so aptly said by an hon. member, from the county of Sussex, to Chelmsford. Why should they endeavour to crush him, to check his industry, to put an end to his paper, and break off his connexion with his family and friends? Those were the doings of former times. He hoped that the feeling of that House would be expressed upon the subject, and would show judges, that in their future sentences, they should be considerate:—that men were not to be torn from the soil on which they had grown, and were not thus to be destroyed.

Mr. *O'Dwyer* thought, with his hon. friend below him, that this was a most disgraceful clause. The distributor of stamps could not be aware of the clause; but the truth was, the distributor of stamps acted under the instructions of Government; and it was too true, that it had been reserved for a Government professing to uphold liberty to enforce this abominable Act. His hon. friend said, the Commissioners of Stamps were obliged to enforce the law. He (Mr. O'Dwyer) had read the Statute; and he saw no penalty attached to the Commissioners for not enforcing the law. It was, therefore, quite within their power to continue to issue stamps to Mr. Barrett, and no penalty would have been incurred by them. But there was another part of the transaction to which he begged leave to call the attention of the House. Mr. Barrett could not have been treated in this way, but he was found guilty of publishing a seditious libel. If that word "seditious" had not been introduced into the indictment, Mr. Barrett could not have been so treated. He had carefully examined the indictment; and he would defy any lawyer to say that the word seditious was not complete surplusage; it was not required; but it was introduced solely from a vindictive feeling, and for the purpose of bringing it within the operation of this Act. He should not detain the House now, as he had given notice of a motion on the case of Mr. Barrett; and when he brought it forward, he should see whether there was that opinion among them which he thought existed. He begged, however, to express his deep sympathy with the hon. member for Brighton on the case of Mr. Cohen. That gentleman had been prosecuted for a libel upon the magistrates of Sussex, a very serious offence he was willing to omit; but he thought he was justified in saying, that where the libel was against a particular class, Mr. Cohen should not have been tried by persons of the same class. He should have been tried by his peers, who were not magistrates, and persons who had not a sympathy with his prosecutor.

Major *Beauclerk* said, as the hon. member for Boston (Mr. Wilks) had declared that the words of the Act were imperative on the Commissioners, they it was clear were not to blame. No person could feel more indignant than himself at the conduct they had pursued; yet he thought it would only be an act of justice to wait until some one of the Ministers was present to defend their conduct. But to return to the question brought forward respecting the editor of the *Brighton Guardian*, he begged to say, he had read that paper for some years, and though he could not say he agreed in all the editor's opinions,—he did not mean to say, that in his (Mr. Cohen's) opinion he had not sometimes gone further than was necessary in support of that cause which that editor advocated, and was still advocating,—and he trusted Mr. Cohen might never attack individuals,—yet he (Major Beauclerk) thought that great allowance ought to be made for the period in which that paragraph appeared. It was a time of extraordinary excitement; and if hon. Members would look at the *Chronicle* or *Times*, as well as many other journals, they would find far greater, more frequent, and violent attacks made then upon the Government and even magistrates, and by a pen far more powerful than Mr. Cohen's, and calculated to have much greater influence; but no notice had been taken of these. And, therefore, their duty now was to release the petitioner, who was deprived of his liberty, and whose prospects would be blighted—perhaps ruined—if he were allowed to wither in a distant gaol. He thought, if his Majesty's Ministers took the case into consideration, they would see it was one of great hardship. The petitioner had been tried for a most heinous crime, and when he satisfactorily proved that this charge was founded in an absolute want of truth, and when even the Judge acquitted him of all intention to incite the peasantry to acts of incendiarism, it was cruel in the extreme to declare that the petitioner was to be thrown for six months into a distant prison. He perfectly agreed with what had fallen from the noble Lord, the member for King's Lynn. His conduct was deserving of their applause. That editor, whose petition was before the House, might, in a time of excitement, have attacked his Lordship's family, but the noble Lord had declared, that he had thrown away all personal feeling towards him, and looked only to the present case as one in which he conceived the petitioner had been treated with great cruelty. There was no person he would more readily bow to, except in politics, upon which the best friends differed, than the hon. member for Shoreham; but if the hon. Member looked into the circumstances of this case fairly and without prejudice, and if he took into consideration the period when these attacks were made—a period when all the papers made attacks upon magistrates much more severe than Mr. Cohen had done; and when the hon. Member remembered the exceeding severity of the sentence, he thought the hon. Member would go with them in praying his Majesty's Ministers to release this individual. If the petitioner had done wrong, he trusted the hon. Member (Sir C. Burrell) would be satisfied with the vengeance that had been taken upon this individual, and would join with them in praying his Majesty's Ministers to release him from this unjust punishment. This case was one of compassion, and he hoped after what the petitioner had endured, the remainder of the sentence would be remitted.

Sir *Charles Burrell* said, that until the case was fairly brought before the House, it was impossible for him, and it was impossible for the House, to judge of it; for, in the absence of Ministers, they had no information on which they could rest. At the same time, in stating that the individual in question had been convicted of libels in other cases, he submitted, that it was more incumbent for them to wait till a full and efficient answer could be had to the complaints of the petitioner. He only wanted to add, that one hon. Member who had stated the case, had made a mistake with regard to saying, that the petitioner was tried by magistrates. He believed no magistrate was on that jury. Some of the magistrates were called by the Sheriff on the Grand Jury, and sent the libel to be tried, but not a single magistrate tried the petitioner. It would be doing a great injustice to the magistrates to send that statement forth to the world.

Mr. *Pryme* said, this prosecution was clearly not a prosecution instituted by the Government; they had nothing more to do with it than with any ordinary trial for a felony that had been tried in the county of Sussex at the last assizes. But, whoever were the prosecutors, he must say—knowing nothing of the case but what he had heard in that House, and hearing the publication read by the hon. Member who had presented the petition (for he had never read the libel, or the report of the trial)—but he must say, he was surprised that such a sentence could be inflicted upon any individual; that in such a case it should be imprisonment in any gaol, and much more in such a distant gaol. They knew that Government had nothing to do with the prosecution, but some hon. Gentlemen were so anxious to throw blame upon Government, that they seized every opportunity of doing it; and a discussion had been raised upon a question with which they had nothing to do, and he deprecated all discussions upon any subject that was not regularly before the House, as the parties concerned could not be expected to be present. He thought the hon. member for Boston would have done better to have postponed his observations on the case of Mr. Barrett; there were two notices of motions on the same question. He would not, therefore, anticipate that question, which would be brought forward in a distinct Motion by the hon. member for Drogheda, further than to make one remark upon the observation of the hon. member for Drogheda, relative to that Statute which had been quoted, and in which the hon. Member said, no penalty was specified for disobedience of the provisions of that Statute. The words of that Act were "That they (the Commissioners of Stamps) are hereby prohibited from issuing stamps" to any printer convicted of a seditious libel. Certainly there was no penalty attached to a disobedience of this provision, but every lawyer knew that disobedience of any Act of Parliament was an indictable offence, and punishable at common law. This was an oppressive and an improper law; but if the Commissioners had not put it in force they would have been liable to an indictment at the prosecution of any person who chose to institute one.

Mr. *Roebuck* said, this was not a matter connected at first with the Government, it was true; the Government did not commence the prosecution, and as far as that was concerned, the Government had nothing to do with it; but the Government possessed a discretionary power of keeping the parties referred to in gaol; and when an application had been made to them, as it appeared there had been in this case, he thought their conduct came very properly under the cognizance of the House. The Government had exercised that discretionary power, and it seemed they did not mean to release the petitioner, and, therefore, that House ought to act in the matter. From the beginning to the end of this transaction, he must call it a most disgraceful one. It was disgraceful to the prosecutors who instituted it—it was disgraceful to the Grand Jury who returned the bill—it was disgraceful to the jury who convicted the petitioner—it was disgraceful to the magistrates of Sussex—and he would say, it was disgraceful to the Judge on the bench. He would not use guarded language, because this was not a case in which guarded language ought to be used. They had come there to express their opinions freely, and he, for one, would do so. This unfortunate editor had inserted in his paper a paragraph relative to incendiary fires. He stated a fact, and a fact simply—namely, that in certain districts in Sussex, incendiary fires prevailed, and that in others, fires did not prevail, and that, in some districts, the magistrates were severe, and that in others they were not. The *gravamen* of the charge was, that the editor had incited the people to commit these incendiary fires, and yet the Judge, before whom he was tried, afterwards declared, that the charge was not made out. Then what was he punished for? Why, simply for saying, that the Magistrates in one district were harsher towards the lower classes than in another, and if he did say so, he was perfectly justified. It was an observation in which he (Mr. Roebuck) coincided. In every district where the people were against the Magistrates, they would find some specific cause for it. The people, generally, were fond of law; they never kicked against it, except on account of some persecution or oppressions. No man thought more than he did that a resident gentry and magistracy were of great service in promoting the interests of the people, but as magistrates, they held a great and powerful engine in their hands; and if they abused it, or made it the instrument of oppression against the people, it would only incite them against the laws and against themselves; and he knew they might, and did, in many instances, set the people against the laws. And this was a matter on which every man had a right to express an opinion; it was for expressing this opinion, that the proprietor of the *Brighton Guardian* had been punished; and the law, which in such a case gave power to shut a man for six months in a gaol, was a most disgraceful law, and disgraceful to those who administered it. They always found the Judges of the Court of King's Bench leaning to the most strict interpretation of the Libel-law in its penal provisions; they had made it what it was —a disgrace to the country. It was nothing but such unjust cases as this that had created the existing antipathy against the Libel-laws. Mr. Cohen had, by accident, inserted in his paper a paragraph, which he expressed himself willing to explain, and to show that he had always done quite the contrary to that which he was charged with. The Judges would not hear him, and he was punished for that single act of publishing a fact. When the Libel-law was administered, the Judges ought to have taken into consideration the man's intention, and Mr. Cohen was willing to come forward and show, that if he were to be judged by his previous acts, the whole tenor of his writings had been against these incendiary fires, and that he had always been an enemy to this species of depredation and destruction, and that though he had expressed his opinions in his paper before for seven years, yet no person had ever been able to say, except on the publication of this paltry paragraph, that he had ever, in any one instance, incited the people to acts of incendiarism. The Government had instituted a great many prosecutions at that time; there was one against the hon. member for Oldham, but that failed and he escaped; but they had caught the unfortunate editor of the *Brighton Guardian;* and, by means of a Special Jury, and the disgraceful Libel-law, he had been flung into prison, and the poor unfortunate Mr. Cohen was now suffering for all the rest. He besought the hon. member for Brighton not to let the matter drop here, but bring forward a distinct motion for an address to the Crown. It was disgraceful to keep the man in Chelmsford gaol, and it was disgraceful to those who kept him there. There was to be an alteration with respect to the law of Libel and they ought to express their opinions relative to it. They ought to know facts; and if a man published truth—if a statement were true and contained nothing but truth—then any man was justified in laying that statement before the country. For doing that was the editor of the *Brighton Guardian* committed to prison; and he did hope the hon. member for Brighton would move an address to his Majesty. The Secretary of State had determined not to interfere in the matter, and the only resource left was, an Address from that House to his Majesty, and if the hon. member for Brighton would bring forward a motion to that effect, it should have his cordial support, such as it was.

Captain *Curteis* said, he was one of the Magistrates alluded to in the petition, and he felt it his duty to state, that a more honourable man than the prosecutor could not exist. He (Captain Curteis), with several other Magistrates, did not think it necessary to go on with this prosecution; but the prosecutor thought it absolutely necessary that it should be carried on, and conceived it to be his duty to file the bill against the petitioner. He hoped the hon. member for Brighton would move an Address to the Crown, and he would give it his support.

Mr. *Goring* said, that he was a member of the Arundel bench, and if any persons were libelled at all in the paragraph, it was the members of that bench, and not one of them had thought it right that any prosecution should be instituted. They thought it would be giving a notice and importance to this paragraph, which it did not merit, and as a proof of the very little mischief it had done, he begged to say, that there was not one fire in the whole Arundel district after the publication appeared, and there had not been to this time, and therefore he did not consider the paragraph worthy of notice.

The Petition laid on the Table.

AGRICULTURAL DISTRESS.] On the Motion that the Order of the Day be read, "That the House should resolve itself into a Committee of Supply,"

The Marquess of *Chandos* rose to call the attention of the House to a question of great importance. He would, first of all move, "That that part of his Majesty's Speech, which related to Agricultural Distress, be read." The clerk accordingly read the following passage:—'I have to lament the continuance of distress amongst 'the proprietors and occupiers of land, 'though, in other respects, the state of 'the country, both as regards its internal 'tranquillity, and its commerce and 'manufactures, affords the most encouraging prospect of progressive improvement.' The noble Marquess continued: In calling upon the House to take the subject of agricultural distress into its consideration, he was sure that the question was not inferior in importance to any that had been for a long time, or could be, submitted to its consideration. While he deeply felt the general embarrassment that pervaded the whole agricultural interest, and was most anxious to impress on the House the policy and the justice of applying an effective remedy, he was at the same time sensible of his own inability to deal with the subject as its great importance required. But, however inadequate his capabilities were to the execution of the duty that he had taken upon himself, he felt a sincere conviction that the House would go along with him in the persuasion that the distress was deep and general, and called at once for the saving hand of Parliament. From the facts which he would state—and they possessed a melancholy reality—he hoped he should convince the House, that the distress was silently but steadily advancing; and, though in some places its progress was more rapid, palpable, and decisive than in others, yet, for many years, its fatal existence and growth was evident in all. It was true the distress was more intensely felt in one place than in another; but then the dismal truth was notorious, that no place was free. He begged to remind the House, that, in 1821, a Committee was appointed to investigate the causes of the distress which then existed among the agriculturists, and suggest a remedy; but, though that Committee made a Report, no benefit resulted from it. From that year down to the last the distress had been acquiring additional growth, and threatening greater dangers. There was no diminution of the evil, and no remedy applied. In the last year, another attempt was made to arrest the evil, by the appointment of another Committee. He would, in alluding to that Committee, take leave to state, that the right hon. Baronet opposite, who presided on that Committee, showed every wish to do his duty to the House and the country zealously and well. No one could be more anxious to promote every investigation. He was not a member of the Committee in the year 1821; but he had attentively read its Report, and he believed he might say, he was acquainted with the character and the extent of the inquiry then instituted. The Committee of 1821 was fully satisfied as to the great distress of the agriculturists in general, and it expressed a hope—indeed he would quote the language which it had used:—'That 'the great body of the occupiers of the 'soil, either from the savings of more 'prosperous times, or from the credit 'which punctuality commands in this 'country, possess resources which will 'enable them to surmount the difficulties 'under which they now labour.' The Committee of 1833 however said, 'Your 'Committee, with deep regret, are bound 'rather to express a fear that the difficulties alone remain unchanged, but 'that the savings are either gone or 'greatly diminished, the credit failing, 'and the resources being generally exhausted; and this opinion is formed, 'not on the evidence of rent-payers, but 'of many most respectable witnesses, 'as well owners of land, as surveyors 'and land-agents." Year after year had passed without alleviation; the accumulated capital had been reduced; and the credit had been exercised almost to its full extent. Those were positions which he had again and again taken the liberty of urging on the House, and which had been fully made out upon inquiry. Such being the facts as to the situation of the agriculturists, he felt it to be his duty to take the earliest opportunity of bringing the subject under the formal consideration of that House. He did not at all attempt to deny that his feelings were strongly interested in the welfare of the farmer, and of the agriculturists in general. He confessed that he was almost entirely dependent upon the land for whatever of property he possessed, and therefore, from that reason, and he would add from others, he felt extremely anxious to watch over and to promote, in as far as he might have the opportunity, the protection and the welfare of that interest. He felt also that, having admitted his entire dependence upon the land, it might be said, that his motives were selfish, and were derived from personal interests, rather than from an enlarged view of the interests of the country. But, whatever motives might be attributed to him individually, it could not, it was impossible that it should, be denied by any one, that the occupiers and the cultivators of the soil had, by their exemplary conduct, loyalty, obedience to the laws, and immense importance to the general community of the country, a great and deserved claim upon the best consideration of the Legislature. The Committee of 1821 admitted, and indeed proved, the great state of depression in which the agricultural interest then stood; but it expressed a hope that that distress was temporary, and also that the stored wealth and credit of the agriculturist would be made beneficially useful by his persevering industry and economy; but the Committee of last year had repeated the statement as to the depression of the agriculturist, and had clearly shown, that the pressure upon the agriculturist was not ephemeral, but was, and would prove, permanent, unless some active and substantial measures for relief were adopted. The distresses of the farmer, it was well known to all, arose from a variety of causes; they were of a mixed character, being partly local and partly general. Unquestionably instances might be found of flourishing farmers—of occupiers of land who not only did not complain, but were well satisfied with their position. He apprehended, however, indeed he was confident, that such cases were very rare. Again, farmers who had capital to fall back upon, might be able to continue in spite of the existing difficulties; and there might be yet some unexhausted credit capable of being brought into operation; but he asserted positively and unequivocally, that the great body of the occupiers of the soil, that the great body of the landed interest, was in a state of deep and dangerous distress. The character of the prevailing seasons would of course affect particular descriptions of land; but it was not by exceptions that the state of this great interest was to be decided. It was imagined by some that though the farmer suffered the landlord had not suffered. Nothing could be more erroneous. He spoke of facts within his own knowledge. In the part of the country in which he lived, in the county of Buckingham, low lands, which used to let at from 35*s*. an acre to 37*s*. an acre, were now let at from 14*s*. an acre to 7*s*. an acre. Could it then be said that the landlord had not suffered? Assuredly not. But then that reduction in the means of the landlord fell with increased severity on the tenant and the labourer. The landlord being reduced, he was compelled to press more severely on the tenant, and the tenant in self-defence was compelled to curtail the labourer. He, therefore, contended, indeed it was evident, that the land-owner, the occupier, and the labourer, were closely and intimately connected; that he who would inculcate a different feeling was the enemy of each class; and that the one class could not be benefited by a removal of burthens without the others sharing in the amelioration. He knew that it had been again and again said, that the landowners and the farmers were desirous of a monopoly. In that House he felt confident that it must be unnecessary for him to give any contradiction to such a charge; but still he never could consent to forego an opportunity of publicly, and honestly, and conscientiously declaring that, as one connected with and dependent upon the land, he desired no monopoly. All that he asked on the part of the agriculturist was, the observance of the maxim, live and let live. When he heard it asserted, that there was a monopoly in corn he denied entirely the truth of that assertion. The agriculturist in this country was protected, but he had no monopoly; and that protection was for the good of all. A free trade had been talked of; but a free trade was impracticable, consistent with the existence of society. It was said, let the ports be open for foreign corn without restriction. Why, let the circumstances be considered, and surely there would be an end to such a demand. It was utterly impossible that the farmer in this country could compete with the foreign corn grower, who paid his labourers but 1*s.* a week each, while the present onerous local and general burthens pressed with such fearful weight upon him. But, to show the falseness of the assertion relative to monopoly, it was only necessary to refer to the actual position of the farmer with reference to the other classes; and it would be found that the agriculturist only received protection as other classes received protection, and that there was no monopoly. Nor was it possible to advert to the language in his Majesty's Speech without feeling that the agriculturist, being admitted to be in a state of deep distress, was entitled to consideration and relief, especially when it was remembered that he had borne his privations with unwavering loyalty, patience, and without clamour. The farmers had not resisted the King's officers in their legal demands for taxes, but they had ever been devoted to the preservation of good order, and had contributed to their uttermost to the exigencies of the State. He had, therefore, naturally expected that the passage in his Majesty's Speech to which he had alluded, would have been followed up by some substantial measure for the relief of the landed interest. Unless such were to be the case, he was at a loss to imagine why the passage was inserted. The expectation, however, had not hitherto been fulfilled. It was true that the noble Lord, when he had opened his budget, had stated that the Government had not been unmindful of the distresses of the agriculturists, and that they intended to afford relief through certain measures operating on the Poor-laws and the tithes. Now, so far as the present distress could be relieved by measures affecting those subjects, doubtless the noble Lord meant to keep his word; but what he complained of was, that the relief would be too tardy. What the agriculturist wanted, was something more immediately operative. The tithes and Poor-laws were undoubtedly great burthens upon the landed interest; but with respect to the former, he confessed he did not see how any very great relief was to be afforded, the rights of property being maintained, unless the community at large was to contribute to the sum necessary for the commutation of tithes. Again, with respect to the Poor-laws, he could not allow that any measure could be proposed with respect to them that would at once, or even at an early period, afford to the agriculturist that relief to which his peculiar position entitled him. Relief, to be efficient and satisfactory, must be speedy. Indeed, unless something were done, the consequence must be that those very Poor-laws which the noble Lord proposed to amend would swallow up the interest their alteration was to relieve. Already there were whole parishes the rent of which was absorbed by the Poor-laws. He knew of one instance in Buckinghamshire in which a whole parish was in the hands of a Committee under the Poor-laws, and certainly in that parish the whole of the labourers had been furnished with employment. But, good God! was such a state of things to be allowed to gain ground? Such proceedings could not be permitted. They must be put a stop to, or the whole frame of society would go to pieces. He was confident, that if the progress in that direction were permitted to gain ground, it would soon become impossible, let who might be Minister, to save the country from confusion and from destruction. But he reverted to the charge that the agriculturists possessed a monopoly. It had been even asserted, by an hon. Member, a few nights ago, that the landed interest had a monopoly in, among a variety of other things, butter, eggs, and bacon. He was really astonished when he heard the hon. member for Middlesex make such an assertion. It was altogether at variance with the fact. If the hon. Member were a dairy farmer, for instance, he would very soon find that he had no monopoly in butter. He would soon find that the Dutchman would range his butter in the same market in opposition; that in fact the same quality of butter which had a few years ago sold for 18*d.* and 19*d.* per pound, was now sold at from 7*d.* to 10*d.* per pound. Again, what was the case with respect to meat? Upon that subject, doubtless, the noble Lord (Lord Althorp) was much better informed than he could pretend to be, but he believed the price had fallen to 4*d.* per lb. or 5*d.* In Northamptonshire the case might be different; but he could assure the noble Lord and the House that he had taken his figures from the accounts of a large farmer, and he had no doubt whatever of their accuracy. The wheat was 6*s.* 6*d.* per bushel; barley, 3*s.* 4*d.* per bushel; and beans 4*s.* per bushel. Now, he would ask the House if those prices could be considered the result of a monopoly? Indeed, he would ask the House if they were higher than the agriculturist had a just right to ask and to receive? But while the price of his produce had fallen, the burthens of the farmer had increased. Labour had risen from 6*s.* a-week, to 9*s.* and 10*s.*, and, under these circumstances, he would contend that, taking the country in general, it was almost impracticable for the agriculturist to make the two ends meet, much less to acquire any adequate and fitting profit. He looked back with feelings of the deepest concern to the fires of 1829 and 1830, and most sincerely did he hope that such scenes might never again be repeated. He had no doubt that they originated in a design to attempt the reduction of rents and the abolition of tithes, but they had been found to produce only evil. And when hon. Members spoke lightly of making extensive experiments with respect to the agriculturists, he would remind them of the sentiments of Mr. Burke, who declared that the most dangerous of experiments were those that were directed against the agriculturists, for that they were exposed by nature to hazard enough already, and by law to as much burthen as they could well bear. He went along entirely with those sentiments, and he would say that nothing could be more prejudicial to justice or cruel to the agriculturist than the continued agitation for the repeal of the Corn-laws. He denied that those laws gave to the agriculturist any undue protection; and with a view of clearly justifying his position, he would state to the House some facts with respect to the charges upon farms and the nature of the produce which he believed to be fair samples as to the general state of the farming interest. In one case, of a grass farm, the value of the produce was 750*l.*; and in that instance the burthens, including poor rates, tithe, parochial, and county rates, and King's-taxes, amounted to 769*l.* 12*s.* The House would also remember that in addition to that sum there was a heavy Malt-duty, and also that any farmer was subjected to a duty for any horse that, though generally used for agricultural purposes, had occasionally a saddle put on its back. Further, the moment that an agricultural labourer found himself in a farmer's house or stable to saddle his horse, that moment the tax-collector entered him as a domestic servant, and the farmer had a duty to pay for him. So that, in addition to the heavy burthens he had first alluded to, the farmer had a high Malt-duty, Window-tax, and other taxes of a general character to bear. Now to show the extreme pressure upon the farmer, he would advert to a few instances with respect to the poor-rates at different periods. The first period he would take should embrace the six years from 1787 to 1792, and the second, should embrace the six years from 1828 to 1833. The result was frightful. In one case, in the six years ending 1792, the poor-rates amounted to 1,077*l.*, and the six years ending 1833 to 3,670*l.*; in another instance the first period was 2,500*l.*, and the second 7,139*l.*; in a third instance, the first period was 2,851*l.*, and the second 9,777*l.* Such cases were not exaggerations. He knew the parishes in which they occurred, and he believed that they were fair samples as to the whole of the agricultural parishes. Such were the facts, and the parishes were so circumstanced, and the difficulties were from year to year so increasing, that, unless something was done to abate their operation, the fee simple of the land must soon be in the hands of the paupers. Therefore, when the noble Lord stated that relief was to be afforded, and that that relief was to be an alteration of tithes and of the Poor-laws, his reply was, that the necessity of the case required immediate succour; and, that before relief could be obtained by those means, the farmers would be ruined. The plan of the noble Lord might be well enough in as far as it went, but it did not go far enough, and must be too remote in its operation. In the cases he had alluded to, he had confined himself to parishes in the county in which he lived; but he held in his hand a communication from a highly respectable farmer in Somersetshire. He was not personally acquainted with his informant, but his high respectability was perfectly well known to many hon. Members of that House, and there could be no doubt as to the accuracy of his statements. The first referred to a farm of the best land, 40*s.* an acre, situated in the vale of Taunton. The produce of that farm fetched 584*l.*, and the outgoings upon it were 587*l.*.; in the second case the farm was one of second-rate land, the rent of which was 28*s.* an acre, and the produce sold for 766*l.*, and the outgoings were 883*l.* Such he really believed to be the state of the agricultural interest in general, as to outlay and receipt, and he believed that except where the farmer had previous accumulations to fall back upon, he was year after year increasing his incumbrances, till at last, and at no distant period, he must be destroyed. What he wished then was, that something should at once be done; that the Ministers should at once adopt some measure that would give substantial and immediate relief to the farmer. The noble Lord, when he opened his Budget, had said, that he would relieve the householders of the House-tax. He did not wish at all to find fault with that proposition. Indeed, he sincerely congratulated the towns upon the relief which would be afforded them; but he could not help saying, that he should have been much better satisfied if the noble Lord had not made the concession to clamour. The noble Lord said, the House-tax was unpopular, and there was no doubt that such was the fact; but the Malt-tax was not differently situated. When the House repealed the Malt-tax [*Lord Althorp said, across the Table, that the Malt tax was not repealed*] Oh! yes, it had been repealed, and the vote rescinded four days after. The noble Lord did not appear to think, that unpopularity, unless enforced by something more impressive, was enough to justify the repeal of a tax. The noble Lord had stated, notwithstanding the distressed state of the agriculturists, that the revenue was so prosperous that he should be able to reduce taxation to the amount of 1,200,000*l.* And, having done so, the noble Lord at once locked up a sum of 800,000*l.* for the West-India interest; but which, as he understood the noble Lord, that interest would not be able to touch for months after the period at which the noble Lord laid the money by. Then, why not make use of that 800,000*l.*, and give relief to the farmer to that extent? If relief could not be afforded to the extent of the repeal of the Malt-tax, still a great boon might be conferred. He should say, the Window-tax, and several small taxes, might be repealed, if the noble Lord had seen fit to have imposed an additional duty upon gin; and if an increased duty had been laid upon French wines, then the noble Lord might, without the slightest inconvenience, have done that which the Speech of his Majesty would necessarily appear to call for. He did not at all wish to alter the plan of reduction laid down by the noble Lord in as far as it went; but he must say, after hearing the language of the King's Speech, and to find the only reduction proposed, —to the amount of 1,200,000*l.*,—devoted to the relief, not of the patient, suffering, and forbearing agriculturists, but of those who had been clamorous, though they were not distressed, and had set the laws at defiance, did appear to him extraordinary. The farmers throughout England had laid the case of their hard sufferings before that House; they had done so by petition; they then did so through him; and he implored that House not to turn a deaf ear to their prayer, and thereby give a denial to loyalty and endurance with which clamour and resistance had not been visited. The agriculturist still adhered to the Government of the country, and respected that House, and employed neither violence nor threat to obtain justice. He had thus stated, too feebly, he felt, the grounds upon which he had called the attention of the House to the subject, and upon which he should found his Motion. He felt that, in taking the course he had done, he was honestly discharging his duty by his constituents, and by the country; and he protested, that he was in no way animated by a desire of opposing the Government. All, in fact, that he was desirous of doing, was to propose to the House such a proposition as must, he thought, be deemed only a natural consequence of the language in the King's Speech. In that Speech the agriculturists were the only class spoken of as being in a state of distress; and, therefore, it appeared to him only reasonable, there being a surplus revenue, that they should be relieved by the reduction of taxation. He implored the House, then, not to refuse the just prayer of its petitioners;

but, by cordially conceding to their wishes, to give to them that encouragement which would, of a certainty, confirm them, if possible, more fixedly than ever in a love of loyalty, and an unshrinking obedience to the laws. Nor could he resume his seat without entreating the House to bear in mind what might be the consequence if the boon now solicited should be denied. If deferred till the next year it might come too late. The House might take his word for it, that the distress complained of must be conquered by its interference, or it would destroy those upon whom it now preyed, and who would soon be unable longer to fight against it. It was not of a passing, ephemeral nature, but, if unchecked, would go on from bad to worse, till its effect was utter ruin. He had commenced by lamenting his inability to do justice to the cause he had undertaken, and he now felt severely that his lamentation had been too well founded. But he had honestly, and to the best of his poor ability, stated the just pretensions of those among whom, and through whom, he lived; and he left the decision of the case in the hands of the House, fully trusting that every country Gentleman would discharge his duty faithfully, and that the cause would not suffer through the insufficiency of its advocate. He moved, as an Amendment to the Motion for reading the Order of the Day, that the following Resolution be substituted:—"That, in any reduction of the burthens of the country, which it may be practicable to effect by a remission of taxes, due regard should be had to the necessity of relieving, at the present period, the distressed condition of the agricultural interest, adverted to in his Majesty's Speech," instead thereof.

Sir *Edward Knatchbull* seconded the Motion of his noble friend; and, in doing so, said he felt that he should ill discharge his duty to the country and to himself if he hesitated one moment in doing so; agreeing, as he did, most cordially in the sentiments which had been expressed by his noble friend. That noble Lord had entered at large into the discussion, and had dwelt upon topics which it was not his intention to discuss. He was satisfied to confine himself to a few remarks on the general proposition contained in the Resolution. The noble Lord called upon the House, by that Resolution, to state that, in any reduction of the burthens of the people, by a reduction of taxation, due regard should be paid to the necessity of relieving, at the present period, the distressed condition of the agricultural interest. The whole purport of this Resolution was simply confirmatory of what was contained in his Majesty's Speech from the Throne, and of that of the noble Lord opposite, the Chancellor of the Exchequer, who had manifested his wish to give the relief required, when he spoke of the burthen of the poor-rates upon the agricultural interest. That being the case, he could not suppose, that the noble Lord would hesitate in giving the assurance which his noble friend had required. The noble Lord, however, was aware, and the House was equally well aware, that other opportunities would arise, when this question must be taken into consideration more at large. It was, therefore, at the present moment, not necessary that he should enter into any discussion; but he thought (fully acquiescing, as he did, in the opinion of his noble friend), that the House was bound to call upon his Majesty's Government to give an assurance, that the agricultural interest alone should not be excluded from any benefit arising from a reduction of taxation. His noble friend had alluded, in terms which every one in the House must admire, to the case of those persons whose cause he had so ably advocated. He begged to repeat, most positively, that there was not to be found in the country a better disposed class of persons than those of whom his noble friend had spoken. He did not mean, however, to contend, that, on this ground alone, they deserved assistance and relief; he would say, that the manufacturing, or any other class, were equally entitled to the consideration of that House; nor would he attempt to set up one class against another, for their interests were all bound up together. Nothing which might be done in that House would have the effect of inducing him to retrace his steps; and he would do his duty, as he had promised to do, by seconding the Motion of the noble Lord.

Lord *Althorp* said, that he agreed in what had fallen from the noble Lord, and the hon. Baronet, in relation to the distress which pervaded the agricultural classes, for he was perfectly well aware that they were in a state of great distress. Certainly there was no part of the speech of the noble Lord in which he more cordially concurred than in the wish which he had expressed, that every exertion should be made to remedy the evils which unhappily existed. But, on the other hand, he certainly differed from the noble Lord on many of the points which had been urged by him. There was one statement of the noble Lord in which the House must, at once, see that he should agree with the noble Lord, that, namely, in which the noble Lord adverted to the effect of the poor-rates. He concurred with the noble Lord, that the proportion they bore towards any other of the burthens of the State was very great. He was bound to say, and he was satisfied that, whatever might be done with other taxes, or with the agricultural interests, in other respects, the endeavour must be made to give relief in respect of the poor-rates, the growth of which, if not checked, would swallow up all the surplus property of the country, and they must remove other evils. He was as much interested as the noble Lord, or as any man could be, in the prosperity of the owners and occupiers of land; and when he spoke of those who advocated the landed interest, he referred to them only as taking a prominent part in the questions relating to land, as contradistinguished from those who took an equally prominent part in questions relating to manufactures and commerce. He differed widely from those who said, that relief to the other interests in the country would not bear advantageously on agriculture. He was of opinion, that the tax, the repeal of which would give the greatest relief to the agricultural interest, was that which most interfered with the general interest and welfare of the country. It was upon this that the country must depend, being a source of greater wealth than in any other country; and the state of the agricultural interest was better than in any other country. Under these circumstances, he could not concur in the doctrine laid down by the noble Lord,—that because, in the plan suggested, the repeal of the Malt-tax was not given, that, therefore, there was no relief given to the landed interest. If it could be proved, that the existence of the Malt-tax diminished the wealth of the country more than any other, then he would say it pressed upon the landed interest. There was one point to which he begged to call the attention of the House. He was not denying any facts which went to prove that there was distress amongst the occupiers of the soil; and he was about to refer to the subject only as illustrative of what the effect of the general prosperity of the country on the landed interest must be, and showing that the wisest course to pursue was that which should be most likely to promote the general prosperity. He alluded to the great alteration which had occurred in the price of wool; and he was sure, that Gentlemen connected with the country were aware that the price of this article, five or six years ago, was 9*d.* per lb., whereas it was now raised to 2*s.* Thus there was a difference, or increase of price, of 15*d.* per lb. Now, if Gentlemen would consider what a great addition this must have made to the receipts of the occupiers of the soil, they would see that the repeal of the whole of the Malt-duty—if it all went into the pockets of the farmers, which it certainly would not do—would not be equal to the relief which they had derived from the increase in that article alone. He was not prepared to go into details on that point, but he was sure he was not wrong in what he had stated. But why had this great increase taken place? Was it not owing to the general prosperity of the other interests, or, at least, to a great improvement in their circumstances? He was aware that this rise in the price of wool was owing, in part, to the deficiency in the supply. He was ready to admit, that the deficiency of supply had operated, to a certain extent, in raising the price; but it could not be denied, that the main cause was the increasing demand from the improved circumstances of other interests. They thus became more extensive customers to the agriculturists than before; and it must follow, that a measure of relief which would promote the interests of those who purchased from that class, would do them good as well as those to whom the relief was more immediately given, and more good than they could derive from any small amount of direct remission. The noble Lord had expressed his concurrence in the remission of the House-duty, but expressed his regret that it should have been conceded in consequence of the resistance made to it. [The Marquess of *Chandos* had used the word "unpopularity."] It was true that he had stated that the unpopularity of the tax was one ground of his objection to it; but it should be recollected, that he had, in a great measure, pledged himself to the repeal of the tax, before any resistance had been made to it; and that that contemptible resistance, if he did not use too strong a word, had been put down, and the law vindicated, before he had brought the question forward in the House. The noble Lord thought, that, because he had given up the House-duty, he had also the means of relieving the agriculturists to somewhat near the same extent. As to giving them relief from the application of any portion of the sum set aside for the payment of the West-India loan before such payment became due, it was out of the question; for it had been agreed, that the interest should be payable from the moment the parties should entitle themselves to receive it, which would probably be about the month of August. It had been very truly said, that, in the present year, the Government would not have to pay more than half a-year's interest on the loan for the compensation of the West-India proprietors; but, at the same time, it was equally true, that it would be, in the highest degree, improvident to apply the funds allocated for that purpose to any other; such a practice would be most dangerous to public credit; and it could not but be obvious that, in providing the ways and means, it was impossible for him to take such a consideration into account. With respect to what had been said on the subject of an increased duty upon spirits, he was perfectly ready to admit, that the duty should only be limited by the amount that it was practicable to collect. He should be willing to go to the highest amount in duty that had not the effect of diminishing the revenue; but these observations, or admissions, contributed nothing to the support of the noble Lord opposite in the position which he took up. For the reasons, then, which he had stated, he should object to the Amendment then before the House: he could not agree, that the diminution of this, or that, particular tax would obviate the agricultural distress which at present existed. He was aware, that the small taxes payable off land were vexatious, but they did not take much from the farmer; and far greater benefit, in his opinion, would accrue from placing the poor-rates on an improved footing, than from anything that could be done in the way of relieving the landed interest from the pressure of direct taxes. Even the Malt-tax, of which so much had been said, would not afford the relief which was imagined; though some parts of the country might gain, others would not. He admitted, that there was considerable distress; but he begged it to be borne in mind, that the owners of the barley-growing lands were not those at present in the greatest distress; the heavy lands were, at present, the least profitable. After much reflection, he was quite convinced, that there were other taxes than those mentioned which would afford relief to the agricultural interest; for example,—the removal of any taxes which interfered with the general industry of the country. Upon all these grounds, he must refuse his assent to the Amendment.

Mr. *Fryer* called upon the House to consider the state of the manufacturers. Let them look at the miners who worked undergound, at the blacksmiths and other trades, whose wasted figures and tattered habiliments gave but too true a picture of the distress and privation under which they were suffering. He had a right, then, to call upon the noble Lord (the Chancellor of the Exchequer) to consider the state of those poor sufferers. He had a right, too, to expect the support and co-operation of the noble Marquess in any measure which might be proposed for their relief. He asked it not of the noble Marquess as a boon or favour; he called for it as an act of justice to these wretched sufferers. Let the House remove the monopoly upon the people's food. This was not only the means by which relief could be extended to the poor manufacturer, but it was also the only real course by which the farmer could be rendered independent and trade made to flourish. The fact was, that the agricultural and manufacturing interests were joined, and must stand or fall together.

Mr. *Baring* said, that, with respect to what had been said relative to the price of wool, and the alterations which had taken place in that trade, it was not his intention to enter into that question. Indeed he thought they were altogether irregular in having deviated from the Motion which the noble Marquess had brought under the consideration of the House. Surely they were not, upon the discussion of that Motion, to turn aside and follow the hon. member for Wolverhampton in his dissertation respecting the Corn-laws! That was a question which was to come before the House in a separate form. The real fact for the consideration of the House was simply this:—The House had last year appointed a Committee to inquire into the distresses of the agricultural, manufacturing, and commercial interests, and the Report of that Committee was, that the greatest distress prevailed amongst the agriculturists, while manufactures and commerce were in a state of general prosperity. The same thing was repeated to Parliament in his Majesty's Speech this year, and yet the Chancellor of the Exchequer came down with a sort of anticipatory budget, and, in his financial statement, appeared to have come to the strangest of all possible conclusions. The noble Lord admitted, that he was about to extend a portion of relief by a reduction of taxation to those who were in prosperity, while he refused to extend any to those who were admitted to be in distress. It was true, that if relief from taxation could be extended to all, all had a right to it; but when there was only an apportionment of reduction, then surely it should be made where distress was universally admitted to exist. The noble Lord (the Chancellor of the Exchequer) had maintained, that when they relieved the manufacturers, they relieved the landed interest, by giving rise to an increased consumption; but he begged the noble Lord's pardon for stating, that the converse of the principle held equally good, for if they relieved the farmer they would enable him to increase his consumption of the manufactures of the country, and thus the manufacturer would enjoy increased prosperity. He must, upon the whole, say, that he conceived hard measure had been dealt out towards the landed interest. To be sure the noble Lord had told them to wait, and he would introduce a measure which would afford them extensive relief. One source of relief was a commutation of tithes. But this, however beneficial, inasmuch as it might remove several causes of annoyance and discontent, could not be productive of any extensive relief to the agriculturists. Again, the noble Lord had told them, that great relief was to be extended to the landed interest from an alteration in the Poor-laws; but of the nature of this latter measure, the House and the country were left in total ignorance. It might be that such would be the fact, but it would be of the greatest importance to the agriculturist, to be made acquainted with the nature of the measure, or at least to receive some information upon it; in such an event the agriculturist might be induced to remain quiet while this partial reduction of taxation was going on. If it was intended to place a part of the poor-rate upon some other property it might afford great relief to the agriculturist, but in the absence of all information, how were they to decide that point? There was one great difference between the agriculturist and the manufacturer, which was this. The manufacturer took up labour. He used it while he wanted it, and threw it down when he no longer needed it, without caring for or looking any further about it. But not so the farmer; when he employed labourers he was saddled with them in one shape or another for all his life afterwards, no matter whether he wanted them or not. He for one must protest against the course pursued by the noble Lord (the Chancellor of the Exchequer) until he knew what was the nature of this great measure of relief which he held out to the country. It might be a measure which would come into operation some eight or ten years hence, and perhaps not for fifteen or twenty years to come, in which case it would be altogether inoperative in affording the relief which was at present so imperiously called for. He would repeat, that this was no answer to the question, why the agricultural interest, which was admitted to be the most distressed, should not receive the benefit of even a partial remission of taxation. The noble Lord, in his budget, had told them he proposed to repeal a tax which his own good sense told him was not the best tax to be repealed, but that he proposed it because the House-tax was an unpopular tax; perhaps it was so. They all knew that meetings had been held in various quarters on the subject—that hundreds of thousands of persons had attended those meetings, and that numerous assemblages of persons had marched down to the Home Office, or to the Office of the noble Lord (the Chancellor of the Exchequer) in pairs, to petition for its repeal, so that in acceding to this petition, the noble Lord was only getting rid of the importunities with which he was assailed. The noble Lord (the Chancellor of the Exchequer) had told them that there were two agriculturists on one side, and two manufacturers on the other, and that these were equal quantities. But this was not so. There was no doubt that in cases of public petition and clamour like that in question, the cities and great towns would beat down the voice of the agriculturists, and if any proof of the fact were wanting, they had it before them in the proposal of the noble Lord with respect to repealing the House-tax. The hon. member for Wolverhampton, who always addressed the House with great earnestness on behalf of his constituents, said, that they were bound to remove the corn monopoly, as he called it, in order to give the people cheap bread. Now, it was the fact, that bread was cheaper at the present moment than it had been at any period within the last 150 years, for the century before 1793, the average price of wheat was 50*s*. per quarter, while, at present, it was only 48*s*. 9*d*., according to the latest average taken. It was true that the price of wool had latterly risen, and so had the price of meat; but, unfortunately, that rise did not go into the pocket of the farmer. On the contrary, the flock farmer found that the rise in the price of both articles did not compensate him for the losses he had sustained during the last three years by the rot amongst his sheep. With respect to what had been said about the repeal of the duty on malt, he thought it might be much more advantageously proposed than that of the duty on houses, because if the right hon. the Chancellor of the Exchequer were to repeal a portion of that duty, he would lose only one-half. If, for instance, he was to take 5*s*. off malt, he would lose no more than half-a-crown, as the increased consumption would meet the remainder. He would further say, that the noble Lord (the Chancellor of the Exchequer) would, on a further consideration of the subject, find that the half of the Malt-tax might be taken off with advantage to the community generally, and more particularly the farmer, while the manufacturers of Wolverhampton and other districts would also derive their share of the benefit. Upon the whole, it must be evident to the House, that the agriculture of the country had been hardly dealt with. There was another subject upon which he wished to say a few words. Last year a Committee had been appointed to inquire into the demoralizing effect of beer shops; scarcely a Grand Jury in the country but had made representations against them; the increase of crime was a consequence of these establishments. There was not a clergyman, a Magistrate, nay, even a respectable farmer, or farmer's labourer, who had not cried out against them; and yet the noble Lord opposite, after taking the question out of the hands of another noble Lord last year, and after complaining that he was not supported more, now came forward and stated that he could not do anything further on the subject. All persons, no matter what their religious or political opinions were, agreed upon one point—namely, that these beer-shops must be put down in some way or other, if they wished the morals and purity of the country to be restored.

Mr. *Wilbraham* said, that he entirely subscribed to the correctness of the statement made by the noble Marquess respecting the distress existing among the agricultural classes, but he could not agree with him as to the remedy for that distress, From what did it arise? Chiefly from the pressure of poor-rates and tithes; for, in his opinion, the Government taxes had so little connexion with it, that they ought not to be included in the calculation. He remembered, that the Duke of Wellington, when in office, laid on the Table of the House of Peers a document very ingeniously, but, at the same time, very fairly drawn up, demonstrating that the distress under which the agricultural interest was suffering was in no way attributable to the pressure of the Government taxes. If there was any truth in the noble Duke's statement at that time, it must carry with it greater force at the present moment, when the agricultural classes had been relieved from many of the imposts which then pressed on them. He should object to the repeal of the Malt-tax, on the ground that it would give partial and not general relief to the country.

Mr. *Cobbett* wholly differed from the noble Lord in the principles he had laid down on this subject; and he would explain that to him directly; he would, however, in the first place, address himself to what the hon. Member had asserted, that agricultural distress was in no way attributable to Parliamentary taxation, but wholly to tithes and poor-rates. Indeed! he would just ask the hon. Member at what time it was that tithes were first instituted? Was it five years ago, or ten years ago, or was it not rather earlier? The hon. Member must remember the good times for agriculturists; he must remember the cattle shows at Holkham, and the other specimens of the arrogance of the agricultural aristocracy. These were good times for the agriculturalists, yet tithes existed even then. And this simple fact would suffice to show, that agricultural prosperity or adversity had nothing to do with tithes. This would do as an answer for the hon. Member: the error of the noble Lord was of much greater consequence, because he gave it as his reason why he would not give the agricultural interest the relief they wanted—the reduction of their taxes. The noble Lord was right enough in saying, that all taxes fell indirectly or directly upon all classes; if they instituted a Land-tax it would fall upon the labourers; but he would say, that if there were any taxes which were more particularly injurious to one class than another, they were those which had deterred the farmer from keeping labourers as servants, and providing them with beer. The taxes on agricultural servants and the Malt-tax had produced all those dissolute manners which had never been known among agricultural labourers before. The noble Lord said something about a proposed alteration in the poor-rates; he must, of course, mean to lessen the amount of that relief. Before the noble Lord talked of poor-rates being the burthen upon landholders, he should have put the House on an inquiry as to how those rates had been caused. Had they been inflicted on the people by an act of Providence? No. Had the poor themselves instituted them? No. Let the noble Lord look over the Treasury Records; and he would there find that the amount of poor-rates had gone on in exact coincidence with the progressive increase of taxation; and unless the noble Lord intendedto take off the taxes—which he, by the bye, strongly advised him to do—it was entirely out of his power to alleviate the case of the farmer by anything he could do with regard to poor-rates. There had been another cause of constant misery and distress among the farmers, which he also found to be studiously overlooked. It was not the poor-rates, he repeated, that had ruined the farmers. He remembered the time when wheat fetched 40*l.* or 50*l.* a load, yet the poor-rates were higher then than now. There had never been a year of greater agricultural prosperity than the year 1812, yet the poor-rates were higher then than now [Cries of "*No, no!*"] He said yes, yes; and he should like to hear any one disprove his assertion. Pshaw, continued Mr. Cobbett [*a laugh*]; no such thing. He was stating facts, which could be proved from documents. He repeated, that in the year 1812, the agriculturists were in a state of the highest prosperity, yet poor-rates, as he could prove by the Parliamentary Returns, were higher then than now. The payment in gold brought down the price of wheat, and in this the great cause of the distress was to be found. The noble Lord said, the poor-rates had been the cause of the ruin of the country. These poor-rates had now been 250 years in operation, and yet it was only lately that they were discovered to have produced this ruin. Much had been said about checking the poor-rates, but how—how were they to be checked? Was it by a law to prevent the relief being extended? Was it by giving the poor less wages or allowance than now? How much less? He would appeal to the member for South Wiltshire to know in what degree the allowance could be lessened. That hon. Member knew that, in his neighbourhood a gallon loaf and threepence per week was the allowance; and how could this be lessened? The gallon loaf was about a pound of bread per day. Could they reduce this allowance? The allowance made by the Magistrates of Hampshire to the poor labourers was 3*s.* 6*d.* per week all the year round; and if they objected to this, there was no allowance for them. In Dorsetshire they were allowed a penny a week more. Where was the room for reduction in this allowance? Could the noble Lord reduce it lower? If such a measure were attempted, the consequences which he (Mr. Cobbett) predicted the other night would ensue, and they ought to ensue. How much superior was the condition of the soldier, who did no work, who only carried a bayonet, and yet received his 1*s.* 6*d.* per day, as well as fuel and lodging, to that of these poor labourers, who had only their gallon loaf and threepence per week! To meet the distress there should be a general reduction of taxation. No extensive relief could follow from a reduction of two millions in the navy and two millions in the army. There could be no effective mode of relieving the distress, unless by some such general reduction as that which followed the last peace, and this could not be done except by a removal of that cause which compelled the Government to keep up the standing army. It would be unreasonable in Members to expect that Government could reduce a single tax, unless they stood by them in an effort to remove the debt.

Mr. *Wolryche Whitmore* believed, that agricultural distress was very great; but he did not think that the measure proposed by the noble Mover was calculated to afford relief, or to effect the objects which he had in view. He agreed with his noble friend (Lord Althorp), and was convinced that his plan would do more to improve the agricultural interests, because it would take off the burthens that immediately and locally affected them. He had heard with great satisfaction that the noble Lord contemplated a measure of relief with respect to the Poor-laws. No measure that could come under the consideration of that House was entitled to more attention. So deeply did he feel it, that he had no hesitation in saying, that, if some measure of the sort were not speedily introduced, nothing like prosperity could return amongst the agriculturists. With reference to the particular question before the House, he believed that great benefits would arise to the agriculturist by the commutation of tithes. The hon. member for Essex had said that, if, under the commutation, the same sum were taken from the agriculturists that was taken now, they could not, by any possibility, find any relief. This he denied. He totally differed from the hon. member for North Essex (Mr. Baring). The settlement of the question of tithes alone would encourage the application of capital to the cultivation of land. The tithes, in this respect especially, was one of the greatest evils under which the landed interests laboured. He, for one, sincerely trusted that Ministers would redeem the pledge they had given to the House, and that they would introduce some measure with respect to the Poor-laws.

Mr. *Benett* was of opinion, that the repeal of a part of the Malt-tax would, for every interest in the community, have been more desirable than the repeal of the House-duty. If the Malt-tax had been (in part even) repealed, it would have prevented the labourers from going to beer-shops, and thereby do good to them and their employers.

Mr. *Clay* agreed with the abstract proposition, that the best relief to a community was a relief from taxation. He considered the repeal of the House-duty to be beneficial to the agricultural, as well as the manufacturing, or commercial interest; for, surely, farmers lived in houses, and their landlords, he supposed, also lived in rather splendid houses. So far, then, the agriculturists would share in the relief afforded by the repeal of the House-duty equally with the other classes in the community. It was but right to repeal the House-duty, for it was grossly partial, to say the least of it; and a partial tax was always oppressive. Already had the Beer-duty been taken off to benefit the agriculturists—the duty on spirits also had been much reduced; and as to the consumption of malt, it had increased amazingly since the year 1820.

In 1820 the number of bushels of malt was . . .	27,889,310
In 1833 . . .	40,164,783

thus showing an increase between these periods of 44 per cent in the consumption of malt. It was charged against the Government, that it had yielded the repeal of the House-duty to the cry raised against it by the town people; and even had they done so, they would, in his opinion, have been fully justified. He voted for its repeal, not for the sake of the number of his constituents, large as they were, but for the cause of justice.

Lord *Howick* only rose to correct a great mistake which had been just now committed by the hon. member for Oldham, when he laid it down as an incontrovertible position, that poor-rates bore an exact proportion to the general taxation of the years 1812 and 1832. Since the hon. Member had made his speech, he (Lord Howick), had consulted the returns, and he found that

In 1812, the poor-rates were .	£6,656,000
In 1832 . . .	6,731,000

while the whole amount of taxation was

In 1812, about . .	£65,000,000
In 1832, about . .	46,000,000

thus showing the difference in the poor-rates to be little more than 100,000*l.*, while the difference in the general taxation amounted to 19,000,000*l.*

Colonel *Evans* said, the repeal of the House-duty had his cordial support, for it was monstrous that the Metropolis alone had to pay fully the one-third of it. With respect to the poor-rates, he would observe, that the population of the Metropolis and of Yorkshire were nearly equal: The rental of the Metropolis was, in 1814, 5,700,000*l.*, and of Yorkshire, 4,709,000*l.*, while the amount of the poor-rate paid by

Yorkshire was 450,000*l.*, whereas the Metropolis paid 680,000*l.*

Mr. *Cartwright* did not rise to enter into a discussion of the question of agricultural distress. He wished to remind the noble Lord (the Chancellor of the Exchequer) that he had stated at a county meeting, held at Northampton, that he would not support a Motion for the repeal of the Malt-tax, but he should leave that to the Ministers. The noble Lord, however, had learned a good deal since he had been Chancellor of the Exchequer, and had improved himself upon the subject. He (Mr. Cartwright) had seen the heads of what he supposed was to be expected from the Board of Commissioners on the Poor-laws, and he was not sanguine as to the result. The agriculturists were under an obligation to the noble Marquess for treating the question in the way in which he had; and he would give the Amendment of the noble Marquess his hearty concurrence.

Mr. *Cayley* said, that his hon. friend, the member for the Tower Hamlets (Mr. Clay), had observed, that if a remission of the House-tax would not relieve the agriculturists, it was, because they had been improperly exempted from its operation; but if that hon. Gentleman would let him (Mr. Cayley) his house in London for the same rent that a house in the country of equal accommodation would fetch, then he would willingly pay the tax upon it. The tax upon a well-situated house in the Metropolis, being rated according to its value in the market, was as large or larger than the entire rent of a house of equal size in the country. Each should be taxed in the ratio of the rent; or in proportion to their marketable value. The noble Lord (the Chancellor of the Exchequer) said, that he did not anticipate any great relief to the land from any remission of direct public taxation. He agreed with the noble Lord; but was that a reason for believing that agriculture was not in distress? The main cause of the complaint of the agriculturists was, that they had invested an enormous amount of capital in land on the faith of a Parliamentary sanction of a certain rate of prices; the maintenance of that rate of prices could alone return to them the common rate of interest for the money they had sunk; and Parliament had deprived them of those prices, and with that had deprived them of their property. Of what use was it to talk of our property being relieved from public taxation, when it was gone? An eminent writer, in a celebrated Northern Review, stated, that the interest alone of capital invested in the improvement of the soil, amounted to 24,000,000*l.* sterling—equivalent to a principal of 800,000,000*l.* sterling. If one-third or one-half of those soils were thrown out of cultivation by a fall in prices, what was that but a confiscation of 300,000,000*l.* or 400,000,000*l.* of landed property? And yet Members were taunted with the high-sounding names of national faith and public robbery, when they intimate a desire to keep up prices to that point which had been sanctioned by Parliament. To effect a rise in prices, which they might effect, was the only efficient mode of relieving the agriculturist. The noble Lord (the Chancellor of the Exchequer) proposed to relieve the agriculturists by some alteration of the Poor-laws; no one could be more thoroughly convinced than he was of the impolicy and demoralizing tendency of those laws; but did the noble Lord expect to effect any amendment in them, during a period when there was a great and a growing deficiency of employment for agricultural labourers? The only means of securing an efficient alteration, was to stimulate employment, by raising the price of agricultural produce. But was it to relieve agricultural distress that an amendment in the Poor-laws was first proposed? Had not the Poor-law commissioners sat two or three years; whilst it was only last Session, or the beginning of this, that the House could be prevailed upon to acknowledge the existence of distress? The other project of the noble Lord to relieve the farmers was, an alteration in the tithe system. It was recommended to amend the system of tithes long before Parliament admitted the existence of agricultural distress. And what was the relief to be expected from those two projects? His constituents, in Yorkshire, were not overborne by poor-rates—which were not more, on an average, than 1*s.* 6*d.* or 2*s.* in the pound;—and many of them were tithe-free. But what immediate benefit could those who were not tithe-free expect? If a general law were to pass on this subject, how bitterly hard would it fall on individual cases! The tithe-owners had been in the habit of remitting their claims in various proportions from ten to fifty per cent;

and clerical tithe-owners were professedly more lenient in their exactions than the lay impropriators. The noble Lord, the Paymaster of the Forces, stated, in the Agricultural Committee, that if capital had been invested on the silent sanction of an habitual remission of thirty and fifty per cent, it would be a total confiscation to make a general tithe commutation on a basis of a twenty per cent remission. No remarks made in the course of the debate had more influenced him to rise than those which had been made on the high price of wool. His right hon. friend, the First Lord of the Admiralty, in the Resolutions which he proposed, and on which was founded the Report of the Committee, attributed the rise in the price of wool to the great loss by the rot of sheep. He ventured to divide the Committee upon that question, and it decided, that the rise was to be referred to the loss of sheep. The noble Lord (the Chancellor of the Exchequer) said, the rise was from *9d.* to *2s.* a pound, that it was a great advantage to the farmer, and must have been occasioned by the late fillip in our manufactures. But how could it be an advantage to the man who had lost the whole of his flock? To him it must be a loss, even if he had capital, to renew his stock. The upland farmers had been kept in existence by the ruin of their brethren, but for them to be merry on such an occasion, would be like the delicate exultation of a second brother at the untimely end of the eldest born. But even the upland farmer had not been in a very fit condition to take advantage of this rise in wool:—The greatest rise had taken place since last clipping-time; in other words, since the wool left the farmer's hands: he, therefore, had not reaped the benefit of it. It would be in the recollection of the House, that, immediately subsequent to 1825, there were two or three years of successive draught, which, on the wolds of Yorkshire, destroyed many flocks; and when water occasionally was had, fifty and sixty in a flock would die in consequence of drinking; thus, before the wet seasons came, the drought had diminished the upland stocks, and their wasted capital had been too small to replenish them fully, so that the high price had only benefited the upland farmers on a diminished flock. He could show, from a valuable Return (entitled Trade and Navigation) lately laid on the Table, that the rise in wool was essentially connected with its scarcity. Notwithstanding that rise, it appeared by the Return, that, in the year ending January, 1833, the importation of sheep and lambs' wool into this country was 28,128,973lbs., and in the year ending January, 1834, 38,475,247lbs.; being an increase of upwards of 10,000,000lbs. in one year, which, if there had been no scarcity, would have depressed the price of wool. A good deal was said by hon. Members about the difficulties in the way of our export trade, from Corn-laws and the high price of raw materials; yet the declared value of the export of woollen manufactures in the year ending January, 1833, was 5,479,866*l.*, and in the year ending January, 1834, 6,511,780*l.* Notwithstanding the immense rise in the raw material, then, there had been an actual increase in our export of woollen manufactures. Another proof of the present comparative high price in mutton and beef being in consequence of the decay of the flocks was, that if it were caused by an increased consumption, it would be accompanied by a rise in bacon also; but the price of bacon was never so low. In the markets in Yorkshire, it was, at Christmas, from *3s. 9d.* to *4s. 3d.* per stone. The present price of fresh meat as well as of wool, was to be attributed to the loss of the flocks, and when and how that was to be remedied was a matter for serious contemplation. The cold clay and wet soils had rotted sheep; and the farmer, jealous of trusting to them, or unable to buy sheep, had scourged his land by a severe course of tillage, until it had gone out of cultivation, being too expensive to cultivate, at the present prices. A considerable portion of the old sheep-walks, in consequence of the low price of live stock immediately after 1825, the introduction of bone manure, and the rise in wheat during the wet seasons of 1828, 1829, 1830, and 1831, (which was favourable to their crops on the high lands,) had been broken up; and these soils now, in a great measure, supplied our wheat. It was a problem, therefore, how the former supply of wool could be replenished, as far as our own soils were concerned. Turn your cold clay soils to grass, said the town-bred political economist. Nothing betrayed the ignorance of these theorists more than that ignorant assumption. Did they know how land got out of cultivation, or why? It was because the price was insufficient to pay the cost of production; but it was not thrown up at once in a rich state fit to lay down for pasture; the farmer losing more and more every year, put less and less manure upon it, till, at last, he merely ran his plough through it, till it would produce no more. When its vegetative powers were exhausted, they were told to turn it to pasture. Under the most favourable circumstances it took eight years to create a good pasture, and that at a considerable expense; but, under the circumstances supposed, it would be at a sacrifice of many years' rent, and of fifteen or eighteen years of time. There was yet another very alarming symptom in the state of our agriculture. The old heavy wheat soils could not be kept in cultivation at the present prices. The upland wheat soils, particularly the limestone heights, yielded as much wheat as barley; and as it was a more certain and more valuable crop, it had, of late, grown into a custom with the necessitous farmer, not to follow the usual course of turnips, barley, seeds, and wheat, but to grow wheat both before and after seeds. That course of cultivation could not last, and then upon what was the country to depend for wheaten bread? If scarcity of corn did not produce famine as of old, it would lead inevitably to a much higher range of prices than what the agriculturists were now seeking for. And for what purpose?—to give a momentary stimulus to our export trade. Much had been said of the identity of interest between the agriculture and trade of this country: in that doctrine he was a thorough believer, so far as it related to the internal trade of the country. That was corroborated by the depression of the agricultural and inland towns, and the retail trade, with London at its head, contemporaneously with our agriculture. But the export trade was distinct from the internal trade, and might flourish when the other was depressed. Manchester and some other towns, so far as they export manufacture, was concerned,—and Liverpool, which had a commission on every export and import,—might be thriving when the rest of the community were bordering on a state of ruin. It was plain that the export trade might prosper when the internal demand had comparatively ceased. Although the disastrous state of our agriculture was ably described by the right hon. Chairman of the Committee in his Report last year, there were some strong points, either omitted, or not sufficiently dwelt upon, which he would briefly refer to. One of the most alarming was, the great diminution of the capital of the tenantry, so that, if the landlords were to be exacting and to sell them up, not more on the average than about one-third would be in a state of solvency. The ancient yeomen, with a property of from 50*l.* to 300*l.* per annum, had rapidly and sensibly diminished, and, in some instances, had been even entirely swept away within the last fifteen years, and a considerable consolidation of landed property had taken place, either from a union of small properties by monied capitalists, or by the largest proprietors adding small parcels to their estates. The ancient usage of farmers having stocks of grain in their rick-yards, at periods shortly antecedent to harvests, had been, for a few years past, a matter of rare occurrence. The cultivation for some years without profit, and the exhaustion of the capital of the tenant, had produced the natural result of a scourging of the land; and a diminished produce from a given portion of the soil was the consequence. The exhaustion of the capital, in many instances, of more than one race of tenantry, had caused a scarcity of tenants with capital among the children of yeomen and farmers, out of which the best tenants had hitherto been obtained. The necessities of the farmer had induced him to force his cattle on the market at an earlier age, so as to trench upon his breeding stock, and to produce a scarcity of live stock—a scarcity greatly aggravated by three or four years' rot among the sheep. A reduction in rent of 10 to 50 per cent had been submitted to by the landlords since the war; but in order to bestow on the tenantry a means of livelihood or possibility of profit, under a wheat price of 53*s.* or 54*s.* per quarter, a further reduction of from 20 to 30 per cent. must be submitted to. A compulsory reduction to that extent was alarming enough to induce the Legislature to interfere to prevent it; but when he stated that since the Committee sat, wheat had experienced a further fall of 7*s.* or 8*s.* per quarter, and if this depression remained, a reduction in rents must take place, at least 50 per cent. on the whole; whilst, in many instances, large tracts of land must go out of cultivation, and rent entirely cease. In conclusion, he would affirm, that nothing which the Government had proposed to do would operate as an efficient remedy, or even lessen, much less remove agricultural distress. The disease was too deeply seated to be got rid of by superficial nostrums. That disease was caused by a change in the value of money to an almost inconceivable extent; and the cure must be effected by some modification of our present monetary system. He was disinclined to oppose the noble Lord, the Chancellor of the Exchequer, but his public duty left him no alternative, and he meant to vote for the Motion of the noble Marquess.

Mr. *Tower* could not repress his surprise at the speech of the hon. member for Bridgenorth. Most persons admitted, that all those burthens, direct and indirect, which fall exclusively on agriculture, should be reduced before the Corn-laws were altered; it was reserved for the hon. member for Bridgenorth, who had given notice of a Motion to effect an alteration in the Corn-laws, to contend that they ought to remove the protection and continue these burthens. His noble friend, the Chancellor of the Exchequer had stated that, in his financial arrangements, he was consulting the best mode of effecting the prosperity of all classes. He begged, however, to ask the noble Lord, how it came to pass, if whatever promoted the prosperity of the manufacturers was sure to increase the wealth of the agriculturists, that the price of corn, and, indeed, of all other articles of agricultural produce (wool only excepted), had, for many months past materially fallen? The average price of wheat was only 48*s.* and a fraction. Under these circumstances, he meant to vote for the Motion of the noble Marquess.

Mr. *Lambert* felt himself compelled to vote for the original Motion. He was certainly much inclined to give every possible relief to the agricultural classes; but were he to support the Amendment, he should in effect be voting for a repeal of the Malt-tax, which he could not do. The noble Marquess assumed that the distress which had fallen on the landed interest was owing to the pressure of taxation. This he denied. In his opinion it was attributable to the alteration which had taken place in the currency. Certainly there did exist great distress amongst the agricultural classes, particularly in Ireland. He had asked a very intelligent farmer in his district, why he had forsaken his plough and taken to agitation? and the reply he obtained was this:—"I minded my plough as long as my plough paid me; but now were I to attend to my plough as I once did when my agricultural pursuits brought me an adequate return for my industry, my plough would produce nothing but ruin; but agitation may possibly give me something." This was a most distressing state of things, and demanded the utmost inquiry and attention on the part of the Legislature. The Legislature had done the wrong, and it was bound to administer the remedy. It was not yet too late. The measure of confiscation was not yet complete. The independent body of farmers, though dwindled away, was not yet extinct. The remedy, however, was very different to that suggested by the noble Marquess, and though he respected his motives, he could not support his proposition.

Mr. *Cutlar Fergusson* observed, that the noble Marquess called upon the House, by his Amendment, to express its conviction that the agricultural part of the community ought to be entitled to any reduction which could be made in the shape of taxation. Everything which had taken place, from the moment his Majesty pronounced his Speech, to the Debate on this question, showed the justice of that proposition. It appeared that there was a surplus revenue which might be applicable to the reduction of taxation, and it also appeared that the manufacturing interest was in prosperity, and that all the relief which had yet been given by a reduction of taxation, had been given to the trading and commercial interest. No answer had been made to the statement of the noble Marquess, that no relief had been given to the agricultural interest.

Mr. *Robinson* could not help remarking upon some arguments which had been used in the course of the Debate. It was assumed that the agricultural interests, without any exception, were in a state of unmitigated distress, and that commerce and manufactures were in a state of progressive improvement. If this were, indeed, the case, the noble Lord, the Chancellor of the Exchequer, might well be asked why he gave relief exclusively to that class which was in a prosperous condition. But he must beg leave to contradict the assumption that, because the King's Speech made such a statement, therefore it must necessarily be true. He certainly admitted that distress did prevail to a considerable extent amongst the agricultural classes, and he should be glad if it could be relieved, but the noble Marquess must excuse him if he begged to remind him that, in the able and manly speech with which he had introduced this question on behalf of the agricultural interest, he had not stated any means by which the existing distress was to be relieved. He had merely moved a Resolution, stating that the agricultural interest ought to obtain a portion of whatever relief could be given to the people? Now how was that to be effected? If this motion were granted, the noble Lord could not give up the House-duty. If he were to compromise the matter and say, "I will give 600,000*l.* to the householders, 600,000*l.* to the agriculturists, he (Mr. Robinson) would be glad to know what relief this amount would be to the lower classes? It appeared to him, therefore, that this proposition could lead to no result. One word with respect to the assumed prosperity of commerce and manufactures. It seemed the measure of mercantile and commercial prosperity was taken by the quantity, while the prosperity of the agricultural interests was estimated by the returns. Let them, at least, have the same data for calculating the success or depression of either of those interests. Let it not be said that, because the manufacturers sent abroad so many millions more yards of cotton, therefore, manufactures must necessarily be in a flourishing condition. He would ask the noble Lord, supposing he had sent last year 150 sheep to market, and received 150*l.* for them, and that this year he sent 200 and got but 100*l.* in return, would he consider this a proof of agricultural prosperity? And yet such was the calculation which was adopted in the case of commerce and manufactures. He affirmed that the commercial interests, although not so much distressed as the agricultural interests, were far from being in such a state of prosperity as the King's Speech would seem to imply. But there was one interest which had not been alluded to at all during the discussion—he meant the shipping interest. In a consideration of the great leading interests of the country was the shipping interest of so little importance that it ought to be completely lost sight of, and not even mentioned? He could assure the House, that if this proposition were adopted he should feel it his duty, on the next Motion for a Committee of Supply, to bring forward a similar proposition in favour of the shipping interest, for he considered it equally entitled with the other interests to a share of whatever the Chancellor of the Exchequer might have to spare. He maintained that whatever distress prevailed amongst the agricultural classes, there was equal or greater depression in the shipping interest, if that distress was to be measured by loss of capital or diminution of profits. He could not vote for the proposition of the noble Marquess, not because he did not sympathise with the distress of the agriculturists as well as of any other class, but because he thought that the Resolution, if adopted, would lead to no good whatever.

Sir *George Phillips* said, that while he fully admitted the right of the agriculturists to participate in whatever relief could be afforded to the country, he thought the means proposed by his noble friend, the Chancellor of the Exchequer, would be more effectual for that purpose than those suggested by the noble Marquess. With respect to the repeal of the Malt-tax, he maintained that that would be no relief to the farmers generally; because, as the noble Lord stated, it was amongst the farmers of heavy lands, on which barley was not grown, that the greatest distress prevailed. The only other remedy proposed in the course of the discussion, was that suggested by the hon. member for Wexford—namely, a return to paper money. Now he (Sir George Phillips) thought that he greatest relief would be afforded by a better administration of the Poor-laws. He was convinced that the agriculturists themselves would feel a measure for the Amendment of those Laws, to be the greatest concession that could be made to them, for the great outcry amongst the farmers was directed against the poor-rates. That measure and the commutation of tithes could not fail to afford the most important relief. He concurred with his noble friend that relief could not be afforded to one class without the other interests feeling the benefit of it; and he was sure that the reduction of taxes which had taken place, and which was to take place, would be attended with the greatest possible benefit to all parties.

Sir *Henry Willoughby* said, that, although the example had been set him, he should not enter into the question either of the Currency or the Corn-laws, but would confine himself to the question before the House, which appeared to him to be simply this;—If the Chancellor of the Exchequer could reduce taxes, what was the principle which should regulate the House in that reduction? He admitted that the repeal of the House-tax had been so pressed upon the noble Lord, both on account of the severity of its operation in the neighbouring districts, and in consequence of certain pledges which had been given, that, placed where he was, he could not well refuse to repeal that tax. But it was for the House to consider what was the principle upon which taxes should be reduced, so as best to reconcile the conflicting interests of the country. He assumed that the agricultural distress was admitted and proved, and that the commercial prosperity was, as the hon. Member below him (Mr. Robinson) said, at least doubtful. The arguments of the honorable member for Ipswich, who had seconded the Address, seemed to him to be built upon a sandy ground; for that hon. Member, in order to establish the prosperity of commerce and manufactures, confined himself to a calculation of the quantity of work done, leaving wholly unnoticed the question of the rate of profit at which that work was done. If the question related to a particular branch—the cotton trade, for instance—the Vice-President of the Board of Trade would find no difficulty in telling the House what was the best mode of upholding that trade. The right hon. Gentleman would, as he had done last year, repeal the duty on the raw material. And why should not the same course be pursued in reference to the most important of our national productions—agricultural produce. If it were possible for the Chancellor of the Exchequer to reduce the burthens of the agriculturists, he would effect two good objects—he would not only reduce taxation, but would enable the grower to bring his produce to the market at a smaller price, and to compete with the foreigner. If the Malt-tax were reduced, not only would the consumers of beer be able to procure the article on lower terms, but the growers of barley would be enabled to produce it at a cheaper rate, and to enter into competition with the foreigner, if at a future period it should be deemed advisable to make any alteration in the Corn-law. With regard to the amendment of the Poor-laws and the commutation of tithes, he did not expect from those measures the immediate relief which the Chancellor of the Exchequer anticipated from them. On the contrary, he thought they would, in the first instance, be attended with considerable expense, which must be borne by the country.

Mr. *Maxwell* said, he would vote for a repeal of the Malt-tax, whenever that question came before the House. In the mean time he strongly recommended his Majesty's Ministers to impose a tax upon absentees. The present system was a premium upon absenteeism, because a man by going out of the country escaped from those taxes which he was obliged to pay if he remained in it.

Mr. *O'Connell* meant to vote for the Motion of the noble Marquess, and he wished to state as briefly as he could his reasons for doing so. He would vote for the repeal of the Malt-tax, and of every other tax which bore upon agriculture, because he knew that the Chancellor of the Exchequer never gave up a tax until he was compelled, and the more the reduction of taxation was pressed upon him, the more benefit the country was likely to derive. Another reason for his supporting this proposition was, that if there were a majority in favour of it, there would then be another pressure upon the Chancellor of the Exchequer, by the hon. member for Worcester, on behalf of the shipping interest. The noble Lord very candidly admitted that he yielded to these pressures. He talked of the unpopularity of a tax, which unpopularity meant nothing more than the extent to which its reduction was pressed upon him by the people. He appealed to the House whether, in this wisest of all countries, we had not been guilty of one of the greatest possible blunders with respect to the debt. The country owed 1000,000,000*l*., and was thus in the situation of an individual who owed 1,000*l*., and went to his creditor and said, "I owe you 1,000*l*., and I am very ill able to pay you, but I will tell you what I will do, instead of 20*s*. in the pound, I will pay you thirty shillings." That was done by the wisest nation on the face of the earth. One-half at least was added to the value of the currency in order to enable the country to pay its debt. Another wise notion was, that taking off taxes would be no relief. He thought it an established proverb in this country, that a shilling saved is a shilling gained. Every man knew that if he was obliged to pay away a shilling he could not keep it in his pocket; and yet it was said that the taking off of taxes would be of no relief. He should like to try at all events. But, absurd and preposterous as these things were, there was a solecism, in the conduct of the Chancellor of the Exchequer, which, considering the King's speech, was more inexplicable than any thing that had ever appeared before the public. The King's speech represented the commercial interests as being in a thriving condition, and the agricultural interests in a state of depression. The commercial interests were to be stated at the highest rate of prosperity and the excellent and accomplished political economist who seconded the address proved, by the most conclusive specimens of vulgar arithmetic, that that prosperity was real and substantial. As to the agricultural distress, every one was agreed upon that point, and distress prevailed in England, Scotland, and Ireland. Even in Ireland, where they differed as to everything else, they agreed in that statement. Commerce was prosperous, and agriculture was distressed, "and therefore," the noble Lord said, "I will give relief to commerce and none to agriculture." That was the amount of what the Chancellor of the Exchequer said. Yes, yes, that was the plain English of it. Let him ask in sober sadness, was it not admitted that the agricultural interest was depressed? Had any man connected with them one third of the income he enjoyed during the war,—certainly no man had one half; at least he would answer for it that was the case in Ireland. Few had one third, and certainly no man had two-thirds. But he would tell the House who had increased incomes; those persons who were proprietors of the public debt. They got three times what they were entitled to. It must be looked to. The interest of the debt must be reduced. It was 29 millions. Let the noble Lord strike off one-sixth of the interest, and that would give him four millions and a-half to begin with; let him then come and reduce taxation to the amount of four and a half millions. He heard a great deal of talk of justice and national faith, and everything else. Talk of the cant of national faith indeed! He contended that national faith so called was national injustice. The reports year after year proved that the distress of the country was increasing. First hope was held out to the people. That hope was disappointed; and then came despair and darkness, only illuminated by the flames kindled in the agricultural counties by the incendiaries. The gentlemen who questioned this fact could not be in the habit of reading the newspapers. He had never perceived, amongst the monied interest, who were so anxious to enhance the currency, the slightest feeling of compassion for the sufferings of the agricultural classes. It was said that we ought not to talk of adverse interests. But the people and the proprietors of the debt had adverse interests. The people wanted to pay them as cheaply as they could, and the proprietors were determined to get as much as possible. Let the Government reduce the interest of the debt and the amount of taxation; and, at the end of twelve months, if one-sixth were not sufficient, let them take off another sixth from the interest. He knew the noble Lord (the Chancellor of the Exchequer) had a great deal of poetic imagination. He had given a most poetic description of the future prospects of the country. He had depicted green and glowing fields, verdant valleys, and everything that a virtuoso could desire; but he held out no prospect of a reduction of the debt; he gave no encouragement that in a thousand years it would be reduced by a thousandth part; but by his plan there would, at least be a beginning. Determined as he was to vote for lessening the taxes as much as possible, he should support the proposition of the noble Marquess.

Mr. Secretary *Stanley* could not deny the existence of agricultural distress. The Committee of last Session proved it; and his Majesty's speech at the opening of the present Session declared it. If, therefore, the Resolution proposed by the noble Marquess went only to confirm that report, and that declaration, he should not feel any strong objection to it. But, after what had passed that night, he thought the House ought to look a little further into the practical effect of the noble Marquess's motion. He did not pretend to impute to the supporters of the motion generally the motives by which the hon. and learned member for Dublin had declared he was actuated. He entertained much too great a respect for most of them to cast upon them any such imputation. But, after what had passed, he begged the House to look at the practical result. The motion had been supported on grounds which, if acquiesced in by the House, would lead, not to the benefit or injury of one particular interest merely, but to universal confusion. The hon. and learned member for Dublin had just told the House, that his noble friend (the Chancellor of the Exchequer) never gave up a single tax till he was driven to it. "Use force with the Chancellor of the Exchequer," said the hon. and learned Gentleman, "and he will acquiesce in your proposition." Now, really he (Mr. Stanley) did not think that that was a charge to which his noble friend was peculiarly liable. The hon. and learned Gentleman, however, declared, that he would vote for the motion of the noble Marquess, because it would follow as an irresistible consequence that the Malt tax must be taken off. He knew that the repeal of that tax would be popular, not only on account of its large amount, but of its nature. But the interests of Ireland, about which the hon. and learned Member always seemed peculiarly solicitous, surely her interests would not be advanced by the repeal of the Malt-ax? He would put it to the right hon. member for Tamworth (Sir R. Peel) whether he was prepared to support the proposition of the hon. and learned Member for repealing the Malt-tax,—to that right hon. Member who asserted that 1,200,000*l*. were all that it was possible to take off from the burthens of the country by a diminution of taxation? He would ask the hon. member for Essex (Mr. Baring), who had bitterly reproached the Government for encroaching on the diminished margin of the surplus revenue, whether he was prepared to favour the abstraction of 5,000,000*l*. from the interest of the national debt? A partial reduction of the Malt-tax would not afford that degree of relief to the agricultural interest which some hon. Members might expect. To take off half the tax would not be a removal of half the burthen, for the expense of collection would remain pretty nearly as at present. A more conclusive and satisfactory statement than that which the House had just heard from the hon. and learned member for Dublin he had never heard—a statement in the course of which, the learned Gentleman showed that he was prepared to provide for what the hon. member for Essex once denominated "the margin of taxation" by a direct incroachment on the interest of the public debt. This was the learned Gentleman's mode of filling up the margin. The hon. and learned Gentleman proposed an immediate reduction of one-sixth of the interest of the national debt; and if that should not be sufficient, he would reduce another sixth in twelve months. He had heard the other night with surprise some mention made of "the pretext of an Act of Parliament;" but with infinitely more astonishment did he now hear the learned Gentleman talk in a British Parliament of "the cant of national faith!" He granted that the mode in which the present repetition of that expression was received, and the tone of contemptuous derision with which it had been originally met, fully vindicated the House from the charge of partaking in any such absurd and profligate opinions. He owned "profligate," was a very strong expression—of course he meant "profligate opinions" in the sense of principles leading directly to acts of political profligacy—but he could not make use of a lighter term when characterizing the sentiments referred to. He rejoiced to hear the tone of derision with which the House had received the hon. Gentleman's observation, inasmuch as that unequivocal expression of feeling saved the House from all suspicion, vindicated it from the imputation of participating in the sentiment, and sustained within the walls of Parliament, not "the cant," but the high principles of integrity, and national faith and honour. He had merely risen for the purpose of commenting on the hon. and learned Gentleman's expression, and also to call the attention of the House to the fact, that a great number of those who were prepared to form part of what he expected to be the majority, might do so without entering into every financial consequence, but simply because they would not, by so large an abolition of taxation, endanger the national honour, which they were determined to uphold and vindicate. He should only add, that according to every maxim of political prudence, the House ought not to accede to a Resolution on the ground that it merely contained the assertion of a truism, without being prepared to follow out the principles of that truism in the way which its supporters advocated.

Sir *Robert Peel* concurred in all the sentiments expressed by the right hon. Gentleman at the conclusion of his speech. Nothing could be more painful than to be compelled to vote on the same side with those who avowed opinions that were in direct opposition to every principle of honour and national faith. He should be ashamed of himself, however, if he let a consideration of that nature deter him from the course which a sense of public duty required him to pursue. He rejoiced to hear the hon. and learned member for Dublin avow his political creed, because when they came, in a few days hence, to the consideration of the Repeal of the Union, they would bear in mind under what auspices, and with what views that measure was proposed. "O all you," exclaimed the right hon. Baronet "who have interest in the funds in Ireland—O all you Protestants who hold lands in Ireland, learn, by this timely declaration, what your fate will be when you shall have been delivered up to the tender mercies of a popular assembly, returned by the influence and adopting the principles of this man, who makes a jest of national honour, and talks of the *Cant* of public faith."

"I thank thee, Jew, for teaching me that word."

The question of the Repeal of the Union had been decided by that preliminary declaration. Who that had anything to lose would not draw the inference, that if such slender pretences could be brought forward to justify the violation of national faith, there could be no security for any property of any description?

While, therefore, he voted on the same side with the hon. and learned Gentleman, he could not too strongly express his abhorrence of the principles which he professed. He was not prepared to admit, as a necessary consequence, that an acquiescence in this Motion must lead to a violation of the national faith. He, for one, would not consent to grant any relief even to the agricultural interest at the expense of disturbing confidence in public credit. They were placed, however, in these circumstances. The noble Lord had stated the other night, in what he must call a very unusual and premature declaration, that the national revenue was in an exceedingly prosperous condition, and that he had a certain sum to apply to the remission of taxation. The noble Lord said, that he was rather inclined for a Repeal of the House-tax, but he added, "that he would leave the matter open for a certain period, so that each Member might present his plan to the House; and if any hon. Gentleman should succeed in inducing the House to prefer any other tax for remission, he would not propose to repeal the House-tax." With such an avowal as this, such an advertisement for counter-proposals, it would be perfect treason, on the part of those representing any interest requiring a remission of taxation, not to urge their claims. The noble Lord, too, was a perfectly fair arbitrator, for his mind seemed quite free from bias in favour of his own proposal. He said, that he had given a sort of pledge to repeal the House-tax; but he admitted, that there were other taxes which he thought it would be much better to repeal. Now, they could relieve the noble Lord from the difficulty of his pledge, by proposing the remission of some one of those other taxes which the noble Lord himself thought a better tax to repeal. The noble Lord was the last person to object to this gentle violence. There never was so clear an invitation to be ravished. The noble Lord had consulted his friends, the political economists, and they had convinced him, that the House-tax was not the tax which he should repeal; therefore, he would, for six months, give a clear stage and no favour to all those who were anxious to make him change his course. Now, they had this admission from the noble Lord,—that the agricultural interest was so intimately connected with the commercial and the manufacturing interests, that the best mode of advancing and improving it would be to extend our commerce and manufactures by opening new markets; by removing those regulations, as well fiscal as political, which interfered with or impeded their extension. These observations were very just. The agricultural classes would be benefited by the extension of our commerce; but, he would ask the noble Lord, whether the House-tax was one—the remission of which would remove the pressure from the springs of industry, or tend to give to our manufactures new encouragement in foreign markets? Nobody would say, that the repeal of the House-tax would afford any relief, either direct or indirect, to the agricultural classes. And why not attempt to repeal some tax which should benefit them. There were few taxes less open to just objections than a House-tax levied on fair principles. It partook something of the nature of a Property-tax, without its inquisitorial character. The House-tax fell much more on the higher than on the lower classes. If the noble Lord had been anxious to afford relief to the agricultural interest, the repeal of the Window-tax would, in some measure, effect that; but he doubted, whether it would be possible to select any tax, or duties of any kind, to an equivalent amount, the reduction of which would not give more alleviation to the agricultural interest than the reduction of the House-tax would give. It had been stated, in the course of the Debate, that considerable relief would be afforded to the agriculturists, by some intended alterations in the Poor-laws. He thought that an alteration of the Poor-laws was necessary not merely to the agricultural interest, but to all interests. He believed that the independence, the comfort, and the happiness of the lower classes were intimately involved in the sound consideration and amendment of the Poor-laws. But, when the evils had become so manifold and so complicated, many years must elapse before any very perceptible improvement could be effected, or any great relief could be afforded to the agricultural interest. It was a delusion to the agricultural tenancy of England, to say, that any measure connected with the Poor-laws could afford them immediate benefit. It was not his (Sir R. Peel's) intention to go into the question of the Malt-tax, or endeavour to show that the remission of any part of it would afford great relief to the agriculturists. He would, however, express his anxious wish, that the noble Lord would appoint a Commission to inquire into the bearing of different taxes, general and local, on the various classes of the community, to see whether the present system of taxation did not unduly press on the farming and agricultural classes in particular. He was anxious that such an inquiry should extend to the whole of the local taxation, to the expense of criminal prosecutions, to the maintenance of country bridges and roads, to ascertain whether the pressure was anything like equal on the different classes. He doubted much whether the necessary expense for ensuring the security of life and property, namely, the punishment of crime, did not fall with extreme weight on the land. The towns chiefly contributed the criminals, and the land almost the whole expense of bringing them to justice. Some observations had been made with respect to the surcharges to which persons in large towns were liable in consequence of the operation of the Assessed-taxes. Now he (Sir R. Peel) would venture to say, that the surcharges on land were not less in amount or less vexatious than those which occurred in towns, and the surcharges on the county were not so easily got rid of. In towns, in case of injustice, the neighbours met together, public meetings were called, and memorials were sent to the Treasury; but, in the country districts, the power of remonstrance was much less effectual, from the absence of all combination, and the want of knowledge as to the best mode of resistance. He had that morning received a letter which had been sent to him in consequence of some observations with which he troubled the House the other evening. The person who sent the letter, and of whom he (Sir Robert Peel) knew nothing, had seen in a newspaper some observations of his, and had he not seen them, would probably have remained silent under a grievous oppression. The letter was from Oundle in Northamptonshire, the county which the Chancellor of the Exchequer represented. The writer stated, that he held a dairy farm at a rental of 200*l.* a year, and his farm was the only means he had of obtaining a livelihood. He was possessed of a horse, which he used entirely for the purposes of his farm. Last year, he was greatly surprised to find himself charged for this horse by the tax-gatherer as for a riding-horse. The writer of the letter said, that he appealed against this charge, but his appeal was dismissed because, according to the Commissioners, "grazing," was not "farming" within the meaning of the Act. The farmer very naturally asked, whether there was any authority for this decision. Yes, was the reply; and they referred him to *Johnson's Dictionary*. By that work "husbandry" meant "tillage," and "tillage" meant "ploughing." The charge, therefore, was ordered to be confirmed, because the farmer had no ploughed land. He very naturally asked whether, if he ploughed a part of the land, and left the remainder as a grazing farm, he should be still liable to the charge; and the reply was, "Yes, unless the greater portion of the farm is ploughed." How many isolated cases of this kind might occur in the country, and how much hardship might be inflicted without its being known! Whereas, in towns, publicity would instantly be given to the cause of complaint, and publicity would most probably be followed by redress. He hoped, that the noble Lord would be induced to see whether he could not altogether relieve the agricultural classes from taxes which pressed on them in this vexatious manner. He had not intended to address the House; but he felt anxious to do so in consequence of the observations of the hon. and learned Gentleman. He wished, as he voted with the hon. and learned member for Dublin, utterly to disavow any participation in his opinions. The hon. and learned Gentleman reminded him of the elephant wounded in battle, which was often more dangerous to its friends than its foes. One remark only he wished to make before he sat down. It had been stated, with a view to show that the agricultural classes were not in such a distressed state as had been represented, that the price of British wool had risen considerably. Now, the high price of wool, instead of being an indication of the prosperity of the agricultural classes, was rather an indication of their distress. He had no doubt that that rise in price had chiefly been the consequence of the prevalence of wet during the last three years, and the consequent diminution of the flocks. He did not believe that the increase in the price of wool afforded anything like a remuneration to the farmer for the loss in his flocks. It was observed, that at present the price of wool was high, whilst that of corn was low. He feared that the farmer had been obliged, in many instances, in consequence of the pressure of his difficulties, to plough up his grazing land; to realize an immediate gain at the risk of permanent injury, and that, in consequence, corn had become unusually abundant, and wool unusually scarce. No man, he thought, could deny that the agricultural classes laboured under great distress. It had been said, that this would be diminished by repealing the Corn-laws. He believed, that any such measure would only aggravate the distress. He would not consent to a Repeal of the Corn-laws, because it would make a great and sudden revolution in the relations of the different classes of society, which would be productive of the greatest misery. In conclusion, he would say, that if they had any taxation to remit, it would be right to remit those taxes which bore either directly or indirectly on agriculture, rather than repeal the tax which had been suggested by the noble Lord. He thought, that the agricultural population had a strong claim to the commiseration of the House, not only, as was admitted, because more distressed than any other class, but also in consequence of the loyalty, the patience, and the submission with which they had long borne the greatest suffering.

The House divided on the Amendment —Ayes 202; Noes 206: Majority 4.

List of the Ayes.

Aglionby, H. A.
Arbuthnot, Gen.
Attwood, M.
Attwood, T.
Bankes, W. J.
Barnard, E. G.
Barron, H. W.
Bethel, R.
Blake, M.
Blandford, Marq. of
Blackstone, W. S.
Barry, G. S.
Baring, A.
Baring, H. B.
Bell, M.
Benett, J.
Bruce, Lord E.
Bruce, C.
Burrell, Sir C.
Butler, Hon. Col.
Castlereagh, Visc.
Cartwright, W. R.
Chaytor, Sir W.
Chapman, M. L.
Clive, Hon. R. H.
Cobbett, W.
Cole, Viscount
Conolly, Col.
Cookes, T. H.
Corry, Hon. H. L.
Curteis, Capt.
Dashwood, G. H.
Daly, J.
Dare, R. H.
Darlington, Earl of
Dawson, E.
Dillwyn, L. W.
Duffield, T.
Duncombe, Hon. W.
Dugdale, W. S.
Eastnor, Viscount
Egerton, W. T.
Eastcourt, T. G. B.
Evans, G.
Fancourt, Major
Ferguson, Sir R. C.
Fielden, J.
Fielden, W.
Finch, G.
Finn, W. F.
Fitzsimon, C.
Foley, E.
Folkes, Sir W.
Forester, Hon. C. W.
Fremantle, Sir T.
Fryer, R.
Gladstone, T.
Gladstone, W. E.
Grattan, H.
Greene, T. G.
Gordon, R.
Goring, H. D.
Goulburn, H.
Grant, Rt. Hon. C.
Grimston, Lord
Gully, J.
Halcombe, J.
Halford, H.
Hall, B.
Handley, H.
Handley, W. F.
Handley, B.
Hanmer, Sir J.
Hanmer Col.
Harcourt, G. V.
Hardinge, Sir H.
Harvey, D. W.
Hayes, Sir E.
Henniker, Lord
Herbert, Hon. S.
Herries, J. C.
Hodges, T. L.
Hodgson, J.
Hoskins, K.
Hotham, Lord
Houldsworth, T.
Inglis, Sir R.
Irton, S.
Jermyn, Earl
Jones, Captain
Kerrison, Sir E.
Kennedy, J.
Lewis, T. F.
Locke, W.
Lennard, T. B.
Lincoln, Earl of
Lygon, Colonel
Lalor, P.
Leech, J.
Langton, Col. G.
Milton, Viscount
Miller, W. H.
Manners, Lord R.
Miles, W.

Maxwell, H.
Maxwell, J.
Macnamara, F.
Moreton, A. H.
Neeld, J.
Neale, Adm. Sir H.
Newark, Viscount
Nicholl, J.
Norreys, Lord
Ossulston, Lord
O'Connell, D.
O'Connell, M.
O'Connell, J.
O'Connor, Don
O'Connor, F.
O'Dwyer, A. C.
Oswald, R. A.
Parker, Sir H.
Parrott, J.
Palmer, C. F.
Palmer, R.
Pease, J.
Peel, Rt. Hon. Sir R.
Peel, J.
Pollock, F.
Poulter, J.
Plumptre, J. P.
Pigott, R.
Richards, J.
Rider, T.
Rippon, C.
Ruthven, E.
Ruthven, E. S.
Roche, W.
Roche, D.
Rooper, J. B.
Russell, Lord C. J.
Rickford, W.
Ross, C.
Stewart, J.
Simeon, Sir R. G.
Stanley, E.
Shaw, Fred.
Scott, Sir E.
Sanderson, R.
Somerset, Lord G.
Spry, S. T.
Sullivan, R.
Sinclair, G.
Sheil, R. L.
Scott, J. W.
Shawe, R. N.
Surrey, Earl of
Talbot, C. R. M.
Tynte, C. J. K.
Throckmorton, R. G.
Talbot, J. H.
Thompson, P. B.
Tower, C. J.
Talbot, Jas.
Trevor, Hon. G. R.
Tennyson, Charles
Tennent, J. E.
Townley, R. G.
Tyrrell, Sir J.
Trelawney, W. L. S.
Tullamore, Lord
Townshend, Lord C.
Talbot, J.
Turner, W.
Verner, Col. W.
Vigors, N. A.
Verney, Sir H.
Villiers, Viscount
Vincent, Sir F.
Wilks, J.
Winnington, Sir T.
Winnington, H. J.
Wason, R.
Wood, Col.
Williams, R.
Willoughby, Sir H
Windham, W. H.
Weyland, Major R.
Wall, C. B.
Whitmore, T. C.
Williams, Colonel
Wallace, T.
Wilmot, Sir G.
Watkins, L. V.
Williams, T. P.
Walker, C. A.
Wallace, R.
Williams, W.
Yorke, Capt.
Young, G. F.
Young, J.

TELLERS.

Chandos, Marquess of
Knatchbull, Sir E.

PAIRED OFF.

Denison, W. J.
Ferguson, Capt.
Tynte, Col.

On the question being again put, that the Speaker do leave the Chair,

CONDUCT OF BARON SMITH.] Sir *Edward Knatchbull* having moved, "That the Resolution adopted by the House on the 13th of February be read, relative to Baron Smith," and it having been read, the hon. Baronet proceeded to say, that he was well persuaded, that the House would feel it would be infinitely the more agreeable course, as he apprehended it undoubtedly would be the more convenient one, if it were possible, at that hour of the night, to postpone the discussion of a question which he deemed it his bounden duty to submit to the anxious and solemn consideration of the House. He was fully aware of the disadvantages under which he rose to claim the attention of the House, engaged as it had been for so many hours in the discussion of a question of the highest magnitude, and delighted as it had been by such brilliant displays of eloquence, which must render anything that he had to address to it but little calculated to arrest its attention. With all these disadvantages, however, against him, he felt it his duty, even at that late hour of the night, to bring this question under the consideration of the House. Though he felt that it was his duty to proceed with the task he had undertaken, he must, at the same time, confess, that he was fully sensible of the extreme difficulty, and, perhaps, delicacy, of the position in which he stood at the present moment. He was about to do that, which was, though very unusual, not without precedent. He was about to call upon the House to consider the propriety of rescinding a vote to which they had come on a former evening; and he could assure them he would not have presumed to take such a course if he were not fully impressed with the great importance—if he had not felt that he had strong and reasonable grounds for bringing forward the proposition which he should submit to their consideration. When he recalled to the House the serious charges which the hon. and learned member for Dublin had brought against Baron Smith—when he brought to their recollection the strong sensation which the announcement of these charges had produced upon the House — when he reminded them of the intense feeling that was entertained upon the subject out of doors—and when they considered the very peculiar circumstances under which the vote was come to, he was persuaded that he should stand, not only acquitted, but justified, for the line of conduct he proposed to adopt. In the course of the previous discussion which had taken place on this subject, the right hon. the Secretary for the Colonies said, that he was induced to take a part in it rather in consequence of the mode and manner in which the debate was carried on, than from any importance which he attached to the statement made by the hon. and learned member for Dublin. He was ready to believe that the former discussion did take an unusual course; but why it did do so he was unable to say. The debate certainly was tinged with party spirit; and that, he was willing to admit, might have induced the right hon. Secretary and other hon. Members to vote as they had done. He begged however to assure them, that he alone was responsible for the Motion which he was about to bring forward, and he hoped, indeed he was confident, they would give him credit when he declared, that he did not bring it forward as a party question. He was incapable, on such a momentous question, of being influenced by any such motives and the ground on which alone he submitted the Motion with which he meant to conclude, was the dangerous effect which such a vote was likely to have upon the independence of the Judges of the land, and the difficulties to which it would expose them. Among other consequences he felt the great injustice that would be done to the eminent and learned individual implicated by it if such a vote as this were allowed to remain unchallenged. That able and excellent gentleman had now for upwards of thirty years presided on the Bench, and never to his knowledge, never according to the information which he had obtained, had taint or suspicion before assailed his conduct. The public character of all men was of the first importance to them, and to none was public character of greater value than to persons on whom depended the administration of justice. The public character of no man, of no Judge, was ever more appreciated than that of the eminent and learned individual upon whom this vote cast so unmerited a reflection. Such a vote he must say, never ought to have passed that House; but as he wished to avoid any expression that would lead to angry discussion, he would abstain from saying more lest he should fall into the very error which he desired to guard against. He could not, however, help expressing the regret which he felt at the expressions in which the hon. and learned member for Dublin indulged at the expense of the learned Judge. He was quite at liberty, he believed, to refer to what had occurred on the former occasion, and if he merely confined himself to what had fallen from the hon. and learned member for Dublin, the House must feel convinced that he had abundant materials for even acrimonious observation. He would not, however, cast blame on either the hon. and learned member for Dublin, or any one else; that was not his object. His purpose was to move the House from the false position in which it was placed by the vote of the other night, and by having the question reconsidered to secure their own independence. When the subject was first brought forward, the hon. and learned member for Dublin made an observation which was not unfrequently advanced by him both in and out of that House. He said, that it was altogether an Irish question, and that, therefore, they would, he doubted not, treat it lightly, as they were in the habit of doing all questions relating to that country. He did not understand why the hon. and learned Member made use of an observation so unfounded. But the hon. and learned Member proclaimed on all occasions, that the interests of Ireland were altogether neglected by the British Parliament. He denied that the assertion was borne out by fact; and he proclaimed, not only for himself, but also on the part of every other hon. Member of that House, and he spoke only the truth, that on no occasion within his recollection, had he, or had the Parliament of this country, neglected the interests of Ireland. It had ever been his desire and most anxious care to pay the utmost consideration to any measure that was brought forward for the advantage of that country; and he would boldly affirm, that the hon. and learned Member for Dublin was not more solicitous about its welfare than he was. Whether the questions brought forward related to the interests of Ireland, or to the interests of England, his course had been, and always should be, to do justice, as far as he was able, to both countries. He would at all times pay the same dispassionate attention to all questions, whether they were English or Irish; and he thought the hon. and learned member for Dublin had no right to charge either him or the other hon. Members of that House, with being negligent of the interests of Ireland. He was ready to admit, that no man should ask the House to retrace its steps who was not prepared to show sufficient grounds for the adoption of such a course. He was also bound to show, that in bringing forward a proposition like this he could not be suspected of being actuated by party motives. He disclaimed any thing of the kind, and repeated, that he was influenced by no motive so unworthy; and in proof of this, he would take the liberty of stating the case as it stood, without recurring to any circumstances that was likely in any way to give rise to angry discussion. It should not be forgotten that this distinguished individual, whose public character was so wantonly assailed, was a person who had occupied an important place on the bench for the last thirty years, and against whom not even the shadow of imputation had been cast, from the period of his elevation to the judicial seat, down to the moment when those charges were brought forward by the hon. and learned member for Dublin. He must first remark, that it was not usual for the conduct of a Judge to be inquired into by a Committee of that House. The case of Lord Macclesfield was, he believed, the only exception of the kind that had occurred from the period of the Revolution to the present time; and he must say, that he, for one, did not approve of such Parliamentary investigations. He was aware that there were two other cases in which the conduct of two Irish Judges was complained of. He alluded to the cases of Mr. Justice Fox and Mr. Justice Johnson; but neither of those cases had led to a Parliamentary inquiry. Between these two cases, however, and the present, there was not a single feature of similarity. The conduct imputed to the two Judges he had named, and that which the hon. and learned member for Dublin had attributed to Baron Smith, were widely different. In no point of view could the hon. and learned member for Dublin be justified in the use of such terms as those which he had employed in bringing forward this accusation against a Judge, who was alike distinguished for his honour and his learning, and the great liberality of his political sentiments. The hon. and learned member for Dublin had made two charges against Mr. Baron Smith. In the first he stated, that the learned Judge had been guilty of neglect of his judicial duties, and in the next he alleged, that the same learned personage was a violent political partisan. With respect to the first accusation, that of neglect of duty, he entreated the House to pause for a moment, and consider of what that charge consisted. The hon. and learned member for Dublin had asserted, that Mr. Baron Smith was constantly in the habit of going into Court at a late hour in the day, to the great inconvenience and injury of suitors. The practice of which the hon. and learned Member had complained was perhaps inconvenient, and might not be regarded with much favour in this country; but then it was important to know, however objectionable, that it was a practice which generally prevailed among the Judges in Ireland. Undoubtedly such a practice did not sound satisfactory in British ears; but if the same thing happened in the case of other Irish Judges, he could not understand why the hon. and learned Member should have selected Baron Smith, as the object against which to direct his thunders. The charge, it was apparent, was general rather than specific, and, consequently, there was the greater difficulty in answering it. The hon. and learned Member had only told them of two instances of neglect, and one of those was the Liverpool case. But had the hon. and learned member for Dublin ventured to tell them that he had, even in his capacity of counsel, made any representation to the learned Judge, with respect to his alleged neglect of duty? He had not; but if the hon. and learned Member had known of such misconduct as he attributed to Baron Smith, was it not his bounden duty to have made a representation to him upon the subject? If the hon. and learned Member had taken this course, and his representation was not attended to, unquestionably he would have good grounds for complaint, but not before. Another instance of the dereliction of duty attributed to the learned Judge by the hon. and learned Member, related to a bankruptcy case.

Mr. *O'Connell* said, that he had not attributed the dereliction of duty in the case alluded to to Mr. Baron Smith, but to another Judge.

Sir *Edward Knatchbull*: What! did the hon. and learned Member mean to deny that he attributed the neglect in the bankruptcy case of which he had complained to Baron Smith? The hon. and learned Member had stated, that he was in Court when a certain trial had taken place, and that he had made observations to the Jury, to show that the Judge was unfit to be on the bench—so unfit, that the hon. and learned Member told the Jury, that if the Judge interfered at all, it would only be to stop the administration of justice, and now the hon. and learned Member told them, that he alluded to some other Judge.

Mr. *O'Connell* repeated, that he had not and could not have alluded to Mr. Baron Smith, for he had said, that the Judge who had been guilty of the conduct which he had described, had remained on the bench for two years afterwards.

Sir *Edward Knatchbull:* certainly it was his impression at the time, and he believed many other Gentlemen supposed as he did, that Baron Smith was the Judge to whom the hon. and learned member for Dublin referred, as having been guilty of laches. In this he knew the testimony of many hon. Gentlemen would bear him out. It now appeared, however, that that case did not refer to Baron Smith. But that admission was in itself a powerful argument in proof of the injustice of the line of proceeding that had been adopted towards that learned Judge. The learned Gentleman brought a charge against Baron Smith, and, in doing so, he referred to a case of neglect of duty on the part of another Judge in Ireland, far greater than any imputed to the learned Baron; and yet no complaint had ever been made to Parliament of the conduct of that Judge. He did not want to know his name—he supposed, indeed, that the case was in reality one that did not call for investigation; and he only referred to it to show what a peculiar measure of injustice had been visited on the head of Baron Smith. He recollected that, in the outset of his speech, the hon. and learned Gentleman had said, that the charge which he was about to prefer against Baron Smith, was generally applicable to the Judges in Ireland. How did it happen, then, that Baron Smith should be selected as the first victim for the hon. and learned Gentleman's vengeance? How did it happen that the hon. and learned Gentleman, who had himself so often sounded the praises of that learned Judge, who had so often spoken in the highest terms of approbation of his impartial and excellent conduct, should thus turn round upon him, and in his old age, endeavour to excite the public odium against him? If there was any point in the character of that learned Judge that stood out more distinguished than the rest, it was this, that he always supported those he imagined to be oppressed, and he always opposed those who he supposed were their oppressors. When the hon. and learned Gentleman was, with the rest of his Catholic countrymen, in the opinion of Baron Smith, suffering under oppression, then Baron Smith was the advocate, the able advocate of Catholic Emancipation. But now that matters were changed, and that that hon. and learned Gentleman, instead of being in the situation of an oppressed man, was, in the opinion of many, exercising oppression over others, Baron Smith, true to the enlightened and noble principles which had always influenced his conduct, was to be found opposed to him. He must say, that never had a charge of misconduct against a Judge been brought forward or sustained upon evidence more lame and insufficient. The right hon. Gentleman, the Secretary for the Colonies, had said, in the former debate on this question, that the charge against Mr. Baron Smith, for his conduct at Armagh, had not been answered. But surely the right hon. Secretary must have long since perceived, that, as far as regarded Baron Smith, the evidence had entirely failed. The whole of the imputation of neglect of duty rested on the conduct attributed to the learned Judge at the Assizes of Armagh; but what was the testimony which the hon. and gallant member for Armagh had borne on this subject? Why, he had told the House—and he made the assertion upon his own responsibility, upon his own honour as a Member of Parliament—that, in no one case which had come before the learned Judge, had injury been inflicted upon any party, nor had the due course of the administration of justice been in the least impeded. Here was a triumphant answer to so much of the hon. and learned member for Dublin's charge. It short, it must be evident to every Member of that House, that the first charge was destitute of any foundation. But why, it might be asked, had it been brought forward? He would state why. It was impossible to conceal the fact, that it had been brought forward in order to prop up the second charge. No one could doubt this. It was not heard of till after the charge delivered at Dublin. It was that charge which constituted the real offence; and this would be manifest when he stated that, until Baron Smith delivered his charge to the Grand Jury in Dublin, no complaint whatever had been urged against him by the hon. and learned Member in reference to his conduct at Armagh. He would defy the hon. and learned Member to deny this assertion. If, then, the charge which the learned Judge delivered to the Grand Jury in Dublin in October last had never been uttered, it was perfectly clear that the charge relative to his neglect of duty would never have been heard of. He certainly was not an advocate for Judges making political charges, because he thought that political charges might lead unconsciously to something like political bias on the part of a Judge. Than this nothing could be worse or more injurious to the pure administration of justice, and, therefore, he disapproved of it. Although such was the opinion which he entertained, he must, at the same time, admit, that cases might occur in which it would be the imperative duty of the Judge to speak on political subjects. This was a proposition which he did not think the right hon. Secretary for the Colonies would deny; and if, therefore, a Judge was justified in blending politics with law in the discharge of his judicial functions, it would be a difficult matter to say where his discretion should begin, and where it should end, for no man, however accurate, could settle such a point. There were, however, many instances where Judges delivered political charges, and adverted to the state of the country; and he need hardly remind the House, that Baron Smith made a charge of this description about two years ago, which was not only lauded by the right hon. Secretary himself, but received the approbation of the public generally. The practice of delivering political charges had long existed both in this country and in Ireland; and he should be glad to know whether it would be wise or expedient to render Judges criminally amenable to that House, for every slight political error into which they might fall, in consequence of their endeavour to perform a duty which justice, expediency, and policy alike called upon them to discharge. In the course Baron Smith had pursued, he had only followed in the footsteps of his predecessors. He could refer to an instance in which another Judge, of high character, had pursued the same practice, but without having been censured for it. A charge of a political nature was delivered by Mr. Justice Day in the year 1811, when the public tranquillity in Ireland was disturbed by the agitation of the Catholic Question; but at that period nobody was to be found who would come forward to say that Parliament should interfere and procure a censure upon him. When charging the Grand Jury in the year 1811, the language of Mr. Justice Day was this:—'This happy state of the country is perhaps the more gratifying when we 'reflect upon the activity of incendiaries 'to inflame and corrupt the public mind. 'At no former period have orators, 'scribblers, and printers circulated with 'more busy industry their maddening 'poisons through the land. These mischievous advocates of civil and religious 'freedom, as they call themselves, have 'engaged in their service a number of the 'prints of this city, and those prints, 'instead of sustaining the character of 'the Irish Press by liberal, fair, and 'candid discussions, have lent themselves 'to sedition.' At the period this charge was delivered, there were several prisoners for trial for political offences; and if it was not wrong in Mr. Justice Day to deliver such sentiments as these from the bench, surely it could be no crime in Baron Smith to speak as he had done, though there was not a single person charged with a political offence to come before him, and when the tranquillity of the country was endangered by the agitation that was going forward. As Mr. Baron Smith spoke of the promoters of the question of the Repeal of the Union so Mr. Justice Day spoke of the advocates of Catholic Emancipation. That learned Judge went on to say, in the charge to which he referred, that 'The professed object of all this is Roman Catholic equalization, figuratively 'called Catholic emancipation; but do 'these libellers fancy that a measure the 'most momentous, pregnant with the 'most serious consequences to the whole 'empire, is to be carried by storm?' Observing, moreover, that, 'For myself I uniformly and earnestly supported every relaxation of the Popery Laws; but, in 'the hottest moments of my zeal for that 'measure, I always presumed to think 'that there was an object of still more 'value to the State than even Catholic 'emancipation, and that is, the public 'peace. The public peace must not be 'resigned by its best avengers, the Grand

'Juries and Petty Juries of the country, 'to factious and turbulent men.' Here was a case in which another Judge, eminent for his integrity and learning, pursued the identical course which Baron Smith took. But this was not the only case that might be mentioned. He would, therefore, ask the House, if, because one learned Judge had followed the course adopted by all other Judges, he was on that account to be dragged before a Committee of the House of Commons to have his conduct investigated. But he should like to know, if even a Committee were appointed, how they were to proceed, or whether, in short, they could proceed at all, in such an inquiry. It might be a question, whether the Act of the 1st of George 3rd, the only law that had any application to Judges, could be ever enforced in such a case as this. There was clearly no ground for addressing the Crown to have Mr. Baron Smith removed from the Bench; and, therefore, the utmost a Committee of that House could do, would be to make a Report, which would amount to something in the shape of a censure for a little indiscretion on the part of the Judge. But would it be right thus to assail the guardians of the liberty, the property, and the lives of the King's subjects with censure, and to leave them upon the Bench with such a stigma affixed to their character? The consequences of such a step would be most injurious; and he, therefore, hoped the hon. and learned member for Dublin would be baffled in his object, and that a high-minded and eminent Judge should not be exposed to censure because his political opinions did not please that hon. and learned Member. Having had time to consider this subject attentively, he took upon himself to say, that the House could not persist in the mistaken course upon which it had entered without great detriment to the pure and independent administration of justice. He implored the right hon. Secretary for Ireland to reconsider his former opinion, to examine it apart from all personal or party considerations, and to be influenced in his decision solely by the intrinsic merits of the case. It was not alone the principle of the Motion that had been carried, of which he had to complain, but also of the most extraordinary conduct of the hon. and learned Gentleman who had brought it forward, and of the members of the Government who had supported him. They had suffered the learned and respected Judge to remain in ignorance of the charges that were to be brought against him. Nay, more, he was led to believe, up to the very hour at which the Motion was to be decided, that the Government would oppose the attack that was to be made upon him. He disclaimed all party feelings, all party considerations; and he hoped the House would do him the justice to observe, that nothing irritating or extraneous had fallen from his lips in the course of the observations which he had made. He could not, however, in justice to himself, in justice to the independence of the bench, and in protection of the fair administration of justice, avoid coming forward to protect the independence of the judgment-seat; that independence was, he thought, secured by the Act of George 3rd. Unto that Act he appealed for the protection of the Judges. It was in behalf of their independence that he appealed to the House. He appealed to Parliament to protect the Judges from all intimidation, to secure them in the exercise of their unbiassed opinions. This was the main point upon which he pressed his Motion; and if he had not felt that the vote of the other evening was both unwise and unconstitutional, he would not have brought forward the present Motion. He acknowledged, that he felt strongly upon this matter, because he considered the principle involved in this discussion one of the most important which had come under his notice since he had taken any part in public business. Parliament, like all other bodies, was liable to commit mistakes; but it was true wisdom rather to acknowledge the error than in the least to endanger any of the institutions of the country. On this occasion there was every reason for correcting the error which had been committed. Let the House only remember, that the Motion was carried at the suggestion of an hon. and learned Gentleman who had left nothing that was venerable, nothing that was sacred, nothing that was ancient or respectable, in our institutions unassailed. He would not dwell on that topic further than to remind the House of the suggestion that had been made that very evening by the same hon. and learned Gentleman,—a suggestion at which the whole feelings of the House revolted, and to which it was unnecessary for him further to allude after the exposure made of it by his right hon. friend. He wished, however, he could awake the Government, and the House, to a true sense of the situation in which they stood with regard to that hon. and learned Gentleman. His powers were well known to the Government and to himself, and were often but too well exercised for the particular purposes to which they were applied. Whatever these powers might be, he would venture to say, that the policy pursued that night by the hon. and learned Gentleman, would do more injury to his character in this country than any act of his life. In saying this, he did not mean to accuse the hon. Gentleman of entertaining any feelings of evil; all he meant to say was, that the policy chosen by him on this occasion was the worst he could select to recommend himself to the people of this country. It was peculiarly incumbent on that House to look carefully and dispassionately at this question; to weigh all its accompanying circumstances, and to consider, apart from all personal considerations, whether there was not, as he firmly believed there was, a question involved in this debate beyond, and of higher importance than that which they would be verbally called upon to decide. The great paramount object with all was the pure, the independent, administration of justice. That was the great bond of society; it was the link that bound the Government to the people, and gave stability to the other institutions of the country. The hon. Baronet concluded by moving, "That the order for appointing a Committee to inquire into the conduct of Mr. Baron Smith be discharged."

Mr. *Robinson* seconded the Motion. The course proposed by the hon. Baronet was the only one which the House could adopt consistently with its own dignity, and with the respect due to the Bench.

Mr. Secretary *Stanley* could not, as he had been so directly alluded to, avoid saying a very few words; and he should do so without partaking in any degree of heat or excitement. In some of the concluding remarks of the hon. Baronet he fully agreed; and it was impossible for him to dissent from the proposition, that it was essential to the best interests of the country, to secure not only the independence of the Judges, but the most perfect purity and propriety in the administration of justice. In looking, then, at a subject of this magnitude, the House, he was sure, would, while it abstained on the one hand from indulging false delicacy in correcting abuses, it would, on the other hand, refrain from all unnecessary interference with the independence of the Bench. The House was bound, at the same time that it secured that independence, to guard against abuses; and he, for one, did not partake of the fears expressed by the hon. Baronet, who dreaded the most fatal consequences from exposing the conduct of Judges to the observation and caprice of popular assemblies. It seemed to him, that the hon. Baronet had mistaken the position in which this question was placed, and it was, therefore, necessary for him (Mr. Stanley) to remind the House how far they had proceeded. Charges of a two-fold nature had been brought forward against a learned Judge, and the House had barely asserted that these allegations were of a nature that ought to be inquired into. The House had proceeded no further, and, in his opinion, whether in reference to the character of the venerable Judge, or in reference to the practice of the House on such occasions, he thought there were sufficient grounds for hearing more fully the whole particulars of those charges. In saying this, he wished to avoid the expression of any opinion; but this he must say, that when this Committee would be appointed, it would be the business and the duty of the hon. and learned Member to bring forward his charges before that Committee. It would be his business to bring forward distinct and specific charges. The hon. Baronet had appealed to him, whether he would like himself to be called upon to make his defence upon such charges, and whether he would not consider such a call as tantamount to a censure. To that he would, at once, answer, that so far from deprecating inquiry on such an occasion, he would implore to be heard, and would prefer any investigation to that half sort of censure which was implied in refusing to meet such accusations. That was the course he should pursue; that was the course, he believed, every honourable and high-minded man would pursue; that was the course which he was sure would be sought by Baron Smith. That honourable, that high and proud-minded man, was of all others the most likely to seek inquiry. His proud mind revolted at any imputation, and, feeling deeply sensible, as he did, of any stain attempted to be cast upon his character, he would be the more anxious for an opportunity to wipe it away for ever. He (Mr. Secretary Stanley) cast no such stain upon the learned Judge's character. He insinuated no imputation upon his integrity. On the contrary, he believed, as he was bound to believe, that that learned person was actuated by the most conscientious motives; but still he might have deviated from what must be considered the strict line of his duty. That, however, was a proper question for the Committee—a Committee which ought to be selected in such a way as to place its decision above all suspicion. It was before such a Committee that the venerable and learned Judge would most probably desire to make such statements of his conduct as would procure a Report that would exonerate him from all blame. The hon. Baronet who had brought forward the present Motion had complained, that he (Mr. Stanley) had taken an over active part in the debate on this question the other evening, and that he had, by doing so, considerably influenced the House in its vote of the other evening. It was not to produce such an effect that he had spoken early, but it was because he considered he had a great public duty to discharge. He did not mean to dwell on the charge brought against Baron Smith on account of what had occurred at Armagh; but he would beg the House to recollect that the very same charge was brought forward last Session of Parliament by the hon. member for Monaghan, and that the opinion of the House was then asked on the matter. With respect to the other accusation now first made, namely, that the learned Baron had introduced certain political topics into a charge to the Grand Jury delivered by him at the last Dublin Assizes, he must confess, that some very weak arguments were brought forward to justify him. He really could not see how it was possible to vindicate Baron Smith, by adducing the practice and example of other Irish Judges; nor did he think that the case of the charge delivered by Judge Day, in 1811, was at all in point. There was a wide distinction to be drawn between a Judge travelling out of his way in his charge to a Jury, and a Judge who, in his charge, confined his remarks and allusions to the nature of the crimes mentioned in the Calendar. The hon. Baronet had contended, that both charges were the same; but such was not in reality the fact. In the one charge, the political state of the country was unnecessarily introduced; whilst in the other (Judge Day's), it was necessary to do so, since seditious publications were the objects of prosecution; and, in telling the Town Grand Jury what was the nature of these prosecutions, it was almost impossible not to introduce political topics. The charge delivered by Baron Smith did not at all apply to the cases that were to be brought before the Jury he addressed. He, therefore, considered that the hon. Baronet had been rather unfortunate in his precedent. Indeed, it was not a precedent at all in favour of Baron Smith, but one that might be very properly cited against him. He owned that when he first found, that the hon. Baronet had given notice of the present Motion, that he thought he had some new circumstances bearing upon the case to lay before the House; that he had some explanation to make on the part of Baron Smith, or some communication to make to the House, in order to induce it to depart from the first course adopted. However, when he referred to the hon. Baronet's speech, he saw nothing new in it. No additional facts, and nothing in any way to cause the House to depart from its first Resolution. He agreed with the hon. Baronet about not prejudging the question; though a charge was brought, no one could consider it substantiated until they had the Report of the Committee of the House. Upon the question the House had come to a Resolution, which Resolution could not, without considering all the circumstances of the matter, be hastily rescinded. As he had said in the outset of his speech, he thought that Baron Smith himself would not ask them to rescind their original Resolution, but would beg of them to proceed instantly with their investigation. They ought to proceed with that investigation, unless previously some circumstance or circumstances should arise to induce the House to pause and modify its first Resolution. It was on these grounds, that he took his stand, opposed the present Motion, and advised the House to adhere to their first vote. He hoped, that what he had said before, and what he had said now, would be taken in the spirit of temperance, and that the debate would be conducted in the same way. Under these circumstances he must call on the House not to consent to the rescinding of a Resolution which had been so lately adopted.

Mr. *Shaw*, in rising to reply to the speech of the right hon. Gentleman, had to intreat that indulgence which he at all times required when he addressed the House, but of which he never stood so entirely in need as on that occasion. The question, for the second time brought before the House, was, perhaps, the most important which the House was ever called on to decide; and although he thought the recent Reform introduced into the House was too sudden and too violent, and, on that account, justly obnoxious to some prejudice in the minds of those who composed it, still he was persuaded, that, in a case involving the independence of the judicial bench, as well as the public reputation, the personal character, and the private feelings of an individual Judge, an assembly of English Gentlemen would calmly and impartially hear, and well consider all the facts and circumstances before they proceeded to decide upon them. And if he were asked why, for the second time, bring forward the case of Baron Smith, when, as the right hon. Gentleman said, there was no new matter to rely upon, by which to change its character, he answered, that he had not only new matter to offer, which he had collected since the first decision, but further to allege, that the case then was considered under the most peculiar disadvantages to the learned Judge, and, as regarded himself, under circumstances of the most peculiar embarrassment; for that learned Judge had no notice of the charge to be brought against him in the Motion of the hon. and learned member for Dublin; nor had he (Mr. Shaw) any conception of the reliance that would be placed on the Returns upon which the hon. and learned Gentleman grounded that Motion—they were moved for, and afterwards abandoned by, the hon. and learned member for Monaghan last year. He had not looked into them since the last Session of Parliament, until he sent for them when they were referred to in the Debate. The House would, he was sure, recollect that there were other circumstances calculated to excite his feelings, and perhaps warp his judgment. He was led to expect that he should have had to defend Baron Smith against the hon. and learned Gentleman (Mr. O'Connell) and his party alone. He had not sufficiently reflected on the fact, that the case was to be brought before an English audience; and regarding an attack upon a Judge, or the abuse of those in authority, on the part of the hon. and learned Member (Mr. O'Connell), as the sort of words, of course, with which he usually enters on his daily business,—he had treated the subject too lightly; and having come into the House under a promise of the support, he had to encounter the opposition, of the Government. He was sorry to hear the right hon. Gentleman, the Secretary for Ireland, attempt to account for the change which took place in his opinions, on the ground that the Motion then brought forward had been substantially altered from what it was when the first notice was given of it. When the right hon. Gentleman was asked on the part of Baron Smith what course the Government would take, when a serious charge affecting the character of a Judge should be brought before the House of Commons—its seriousness being no doubt much lessened on account of the quarter from whence it came—although still it was a serious charge—the right hon. Secretary for Ireland answered, that the Government would oppose the Motion—that he would express some disapprobation of particular expressions in one of the charges of the learned Judge, but would not give utterance to a single word that could hurt his feelings. What was Baron Smith to infer from such an answer? But he would not engage in any special pleading on the point—he asserted that the notice and the Motion were substantially the same. The notice was, that the hon. and learned Gentleman would call the attention of the House to the conduct of Baron Smith, "with a view to his removal from the bench;" the Motion afterwards was a Motion for inquiry into the conduct of that learned Judge, also with a view to his removal from the bench; for he would say, that no other Motion could be entertained. With all respect for the authority of the House, he would contend that it would be incompetent to the House to institute inquiry into the conduct of a Judge with any other view than that of addressing the Throne for his removal; and that ground, he might observe, being a difficult one for the right hon. Gentleman to maintain, he had carefully and dexterously avoided it in his speech that evening. If the conduct of a Judge could be inquired into with any other view than to address the Crown for his removal, then he would say, that the independence of the judicial bench was a mockery; and the Statute referred to by his hon. friend (Sir Edward Knatchbull), as having been recommended by George 3rd, was no better than waste paper. If every error of judgment which a Judge may commit, was to be brought before that House, it would become a mere Court of Appeal. The table of the House would be strewed with petitions after every circuit, from constituents of hon. Members, complaining of charges and other judicial acts of the Judges; and while the Act of Parliament should protect them from the influence of the Crown, they must become slaves to the caprice, and tools to the passions, of every passing breath of popular opinion. A *primâ facie* case sufficient to justify the removal of Baron Smith from the bench, ought to be made out, before the House could proceed with the inquiry; and that point the right hon. Gentleman left wholly untouched on the present occasion, because he had no ground to stand on, although the other night his whole argument went on the omission of the words "with a view to his removal from the bench;" and why? Not because that omission made any substantial difference, but because the omission in point of form was the only peg on which the Secretary for Ireland could hang his desertion of Baron Smith;—and the right hon. Gentleman (Mr. Stanley), as the advocate general of the Treasury Bench, seemed, as it were, bound to defend them in the point in which they were most assailable. That ground being now abandoned by the right hon. Gentleman, he should have had little more to say, had not the noble Lord, the Chancellor of the Exchequer, as well as the Solicitor General, affirmed that the grounds stated were sufficient, if fully supported, for the removal of Baron Smith from the bench. So also said the hon. and learned member for Dublin; and to effect that object was still his avowed purpose. Now let the House shortly examine the grounds thus alleged to be valid and sufficient to authorise the House to lend its aid in the accomplishment of that object. The hon. and learned Member divided his charge into two parts. The first related to the Returns moved for last year by the hon. and learned member for Monaghan (Mr. Perrin), and very judiciously abandoned by him, because he could find nothing in them that could justify the removal of Baron Smith; and he (Mr. Shaw) trusted the House would bear with him for a few moments, while he endeavoured to point out the utter futility of the charge which the hon. and learned member for Dublin attempted to raise upon these Returns. He had indeed endeavoured to confuse the Returns, by mixing up other matters with them; he had spoken of the sittings at *nisi prius*, and he believed the hon. and learned Gentleman's statements on that subject were grossly exaggerated; but it should be observed, that, even if they were not, it was not the regular business of Baron Smith to sit at *nisi prius* at all; it was that of the Chief Baron; and, in case of his absence, from sickness or any other unavoidable cause, any one of the three Puisne Barons might sit; and this duty distributed amongst them would not, probably, occasion Baron Smith to sit more than once in twelve months. Then, as another make-weight, the hon. and learned Gentleman had endeavoured to throw in some accusation, regarding circumstances said to have occurred on the Munster Circuit, at the Limerick Assizes, and had thus afforded the House an example by which to judge of the manner in which he has been sweeping up the indiscretions, if such they might be called, of the learned Judge; for the fact was, that Baron Smith had not gone the Circuit in question for eleven years. The right hon. Secretary for the Colonies, stated, that the hon. and learned member for Monaghan, objected to the attendance of the learned Judge on the north-east Circuit, at the last Spring Assizes; that he moved for Returns in consequence, and that it was on those Returns that the right hon. Secretary relied. No doubt that learned Gentleman (Mr. Perrin) selected what he considered the strongest sample—the worst feature in the imputed misconduct. He entreated the attention of the House to these Returns, and he implored them, at the same time, to strip the question of all party and political considerations, as it was his sincere desire to do; and he did not entertain a doubt that a reference to these very Returns would satisfy them that there was not a shadow of foundation for the charge. The Returns related to the Spring Assizes in the year 1833, for four counties—Monaghan, Armagh, Antrim, and Down. Baron Smith did not sit in the Crown Court at Monaghan, until the last day of the Assizes, when he did so merely to assist his brother Judge. At the Assizes for Down, he sat each day from about half-past eleven to about half-past six. He would now, having cleared the ground of what was not relied upon, come to the sitting at Armagh, which had in truth been made the whole gravamen of the charge. He had a letter from the High Sheriff of that county, stating that, when Baron Smith was at Monaghan, the writer, as bound in his capacity of High Sheriff, waited on him with the calendar, which then contained the names of but twenty-four persons for trial. The Sheriff congratulated the Judge on the prospect of a light Assizes, and as the calendar at Monaghan was heavy, Baron Smith said he would remain there to assist the Chief Justice, on the Thursday on which he (Baron Smith) was to open the Commission at Armagh. He accordingly sat for some hours in Monaghan, and thence proceeded to Armagh, and, at three o'clock, took his seat on the bench, and sat till seven o'clock. The next, and every morning, he went into Court at half-past eleven; and here he would observe, that there seemed to be some mistake about the hours at which the Courts in Ireland had been accustomed to sit. What he said on a former occasion was, that in Ireland, in the superior Courts, it never had been the practice of the Judges to sit before eleven o'clock. Every day at the Armagh Assizes Baron Smith sat at half-past eleven o'clock; no complaint was made so far as regarded the sitting on the Friday. He would next entreat the attention of the House, and of the right hon. Secretary for the Colonies in particular, to what was to follow. He knew that the right hon. Secretary of State was incapable of wilfully misrepresenting a fact, but in this part of the case he fell into a great error; and he was confident he could explain it to the right hon. Gentleman's perfect satisfaction. Baron Smith sat again on Saturday, at half-past eleven; when he arrived at Armagh the Sheriff informed him that, during the four days which had intervened between his sitting at Monaghan and his arrival at Armagh, the calendar had trebled, which was occasioned by the circumstance of a number of persons who had been out on bail, having unexpectedly come in to take their trials. He consulted the convenience of the bar, and the gentlemen of the county who were in attendance, and said, he was willing to give up all his time and do all in his power to deliver the gaol of the prisoners, and allow all persons who had business at the Assizes to return to their homes with all convenient expedition. Would it not be admitted by every hon. Member, that sitting late at night was productive of much less mischief, than it would be to leave a large number of prisoners over for trial at the next assizes? Baron Smith took the Bench again on Saturday morning; and owing to the great and unprecedented pressure of business, he sat until a quarter before twelve that night, which was as late as he possibly could sit without infringing on the Sabbath. He took the Bench again on Monday, at the same hour, half-past eleven, and he found the greatest difficulty in getting through the business—he sat for eighteen hours without moving off the bench. Was this a mere whim or caprice? Could this have been any enjoyment to an old man of nearly seventy-five years of age? But, above all, was it a neglect of duty? He then went to bed for five hours, and, in five hours and a-half, he returned to the Bench to perform his public duty; and he sat from half-past eleven until seven that evening, which was upwards of eight hours, and without taking rest or refreshment he got into his carriage, and that night he performed a journey of nearly fifty miles, for the purpose of being at his post at the next assizes town on the following morning. And, good God! was this the neglect of duty (for that was the only charge the House had to decide) for which an aged Judge was to fall under the censure of the House of Commons? If it had suited the purpose of the hon. and learned Gentleman—if this learned Judge had been countenancing, in place of denouncing agitation, what an excellent ground it would have been for a vote of thanks to have been moved to him by the hon. and learned Gentleman. The result of these extraordinary and most laudable exertions on the part of the learned Judge was, that he had been confined to his bed by illness for a considerable time after his return to Dublin. He trusted he did not promise too much when he said, that he would endeavour to explain the second part of the charge as satisfactorily as he trusted he had done the first.' He need not remind the House of the lamentable state of agitation in which Ireland had been for the last few years; that his Majesty's speech at the commencement of the last Session spoke of the "violence and insubordination" having risen in that country to a most fearful height—"rendering life and property insecure," and defying "the authority of the law." Baron Smith speaks to the same effect, in the commencement of the very charge to which he would more particularly refer—that delivered in October last. It was true that the House laboured under the peculiar difficulty of not knowing what was the precise and actual accusation that was brought against the learned Judge by the hon. and learned Gentleman. The first part of the charge was for a neglect of duty; the second, that he had introduced political topics into his charges to Grand Juries—not confining the accusation to any one particular charge. The learned Baron commenced his series of charges in the south of Ireland, in the course of which he made reference to the predial disturbances then going on in that part of the country. He was next in the north of Ireland, dwelling on what he stated to be the prevailing evil there, party processions. Having in the Queen's County alluded to the predial disturbances, what did he say when he got into the county of Antrim? He there makes some strong and very pointed allusions to the orange processions, and gives most excellent advice to the persons who were engaged in them, beseeching them to lay aside all such demonstrations of feeling, and "to abstain from whatever may tend to irritate dissension, or provoke jealousy." He then came to the city of Dublin, where the Judge sat, as one of the two Judges, at what may be termed a Special Commission, appointed for the purpose of trying cases of more than ordinary difficulty and importance, and he (Mr. Shaw) thought the time and place were peculiarly adapted to a charge of the nature which he delivered. If, among the persons to be tried before the learned Judge, there had been any charged with offences arising out of the agitation to which the learned Judge was adverting, he admitted it would have been the duty of the Judge to define the legal offence, and state to the Jury what was the particular nature of the indictment, and the evidence that would be necessary to substantiate its averments; but it would be exceedingly improper then to dwell on the enormity of the offence, or to make use of observations calculated to prejudice the minds, or inflame the passions of the jury against the offenders whom they were about to have brought before them. He could not, therefore, have selected a better time for making the remarks which occurred to him, than an occasion when no specific crimes of the nature he referred to came under their consideration; and then with regard to the place, he chose the city of Dublin as the seat of agitation—the very fountain from which flowed the streams of faction, turbulence, and sedition, which were then poisoning the entire country. In the charge to which he (Mr. Shaw) now referred, Baron Smith commenced by saying "that when the state of the calendar or of the country called for observation from the Bench, he had given such admonition as the case seemed to him to require. When, on the other hand, no such necessity existed, he had not been in the habit of stringing together a chain of nothings, and thus wasting time that might be more beneficially employed. The consequence had been, that while, upon the whole, during the many years he had a seat upon the Bench, he had seldom charged Grand Juries, yet, during the last two years, he thought it his duty repeatedly to address them. When the alarming situation of the country did not seem to be understood, he had sounded the tocsin, and subsequent events proved that this was no false alarm. The audacity of factious leaders was augmented by impunity, and the progress of that sedition which they circulated increased in the same proportion. *Hinc illæ lachrymæ!* But although the hon. and learned member for Dublin might have taken great offence at this allusion of the learned Baron, still he maintained that it did not prove the Judge to have travelled out of his proper course, or departed from his strict duty. The learned Baron went on to deprecate the resistance to tithes and other legal payments, and he then made this observation: "So far as is connected with the due control and influence of that with which I have most concern—the law—I conceive the epidemic of our day to be a turbulent abuse of the valuable right of petition, making it a channel for the conveyance not of submissive prayer, but of refractory invective and insolent dictation." The learned Judge considered this to be an interference with that which he considered to be his duty to explain and protect—namely, the ordinary course of the law. It was not his intention to trouble the House by going through the charge at length, but he could not help referring to an expression particularly relied on by the noble Lord, (the Paymaster of the Forces,) and he would pardon him for saying that, aware how excellent a judge the noble Lord was of the English language, his observations upon it satisfied him that the noble Lord had not read the charge when he made them—the noble Lord would set him right if he was mistaken. The expression to which he alluded was "vulgar numbers." Baron Smith was observing, that Catholic Emancipation having been granted (of which he was one of the most distinguished advocates) that the agitators now insisted that there was a "universal people" whom the Government could not resist, and in regard of whom they even must not remain "neutral." He then continued—"If such doctrine were to be admitted, what would be its result? That there was nothing sanative in the supposed Relief Bill—that it left popular discontent and factious extortion in full morbid vigour; and merely stripping it of one pretext for agitation, drove its ingenuity upon another. But it was as Catholics they had been a party; it was now in the character of the 'universal people' that they were working, and Government must not presume even to be neutral—it must not decline to work along with them. Now, it was even boasted that an overwhelming majority of the 'universal people' was Roman Catholic, while those who observed the movement of the mass, had to inquire of themselves, whether it was in any degree as Catholics, or in the mere capacity of people unconnectedly with sectarian objects that they were thus in motion." Again, "Independently of its faith, what was this universal people? Did it embrace the property, the rank, education intelligence, or merely the physical force, and vulgar numbers (phrases plainly meant here as synonymous) of the country? and if its objects were not sectarian, were they not insurrectionary, republican, revolutionary?" If such were Baron Smith's opinions, had he not a right, as an independent Judge, to express them, that the physical force of the country, taking on itself the right to dictate to the Government what course they ought to pursue, had a tendency to lead to consequences "insurrectionary, republican, and revolutionary." The learned Judge then referred to the Coercion Bill, and said, that he hoped the effects it had produced would be lasting and permanent, and if so, that all the objects of his charges would be accomplished. And then, in words conveying a delicate compliment to the head of the Irish Government, and, at the same time, as it were, winding up the series of those charges called for, as he stated, by the extraordinary state of the country, he proceeds—"Had not the representative of his Majesty done something like proposing this as his noble end, and would not the Government furnish all appliances and means for its attainment; then, indeed, amidst the universal congratulation of all but those whose wishes and whose works were evil, we should accede to the sentiment which a French poet had expressed, that the chorussed and exulting cry of a contented and prosperous people, formed the only eloquence appropriate to the praise of kings." The charge that was addressed to the Grand Jury of the Queen's County contained every topic, every argument, every sentiment, almost the same expressions; was equally figurative, metaphorical and eloquent (and he had yet to learn that these were crimes), with the charge most particularly objected to by the hon. and learned member for Dublin. The House would, he was sure, pardon him for calling their attention particularly to this charge, to be found printed in an Appendix to a Report of a Committee of that House, which was open to every objection that could be brought against the one more specifically the subject of complaint. The only difference between them was, that the one referred to prædial disturbances; the other to political agitation; both of which, in his opinion, it was equally within the Judge's province to allude to. This charge—the one published by this House—was delivered by the learned Baron at the Maryborough Lent Assizes of 1832. He talks of a tumultuary array against rights long undisputed; of persons giving advice to the people to obey the law, and meaning that they should do exactly the reverse; he talks of subverting a "Christian Church," and says, that should the havoc once commence, it will not spare establishments, however sacred; and he then uses the very word which the noble Paymaster of the Forces so much objected to in another charge, the word "vulgar," in the very same sense. At the time that this was printed by the House of Commons, they did not think it so very objectionable. The learned Baron then says, that a resistance to tithes will eventually lead to a resistance to the payment of rent and taxes, the particular in which his October charge was most objected to; and he then observes, upon very delicate ground, had it been in the last charge:—"But a remonstrance has been urged against suffering pomps and vanities to soil the purity of our Church—hypocrisy and cant. In short, there is not a topic in the one charge that is not to be found in the other; and they both equally come within the words and meaning of the terms of the order of the House, which it is this night sought to discharge. But the one to which he was then referring, was printed at the recommendation of a Committee of the House of Commons. In their report they refer to it in terms of the highest approbation in the following words:—"The very able charges of the Chief Justice and Mr. Baron Smith, published in our appendix, afford the fullest information with respect to the nature and extent of the outrages and disturbances that have taken place." And this identical charge was included under the words of the Motion of the hon. and learned member for Dublin; for in it were to be found "political topics in his charges to Grand Juries." Would the right hon. Gentleman contend that more was said, even that he would call "political," in the case of the Dublin charge with respect to political agitation, than was said in the case of the Maryborough charge with respect to predial disturbance? If the quotation of poetry—if the citing of classical authors—if the use of figurative language be an offence,—he is equally guilty in both instances. But, if he be guilty, the House must be considered an accomplice in his iniquity; for they have adopted his language, printed it in their Appendix, and approved of it in their Report. But, perhaps, it might be imagined, that this was the Report of a Committee of old inveterate Tories, or the political partizans of this Judge. He (Mr. Shaw) declared, with the utmost sincerity and honesty, that he thought the subject bore no reference whatever to any party question. He thought, as a question involving the privilege and the character of a Judge of this country, it ought to be divested of everything that could have the smallest relation to party feeling. But, he would read the names of this Committee. The chairman was Sir Henry Parnell, next comes Mr. Stanley, Lord Ebrington, Mr. Rice, Lord Killeen, Mr. Crampton, Mr. More O'Ferrall, Sir John Burke, Mr. Wyse, Mr. J. Grattan, Mr. Wallace, Lord Oxmantown, Lord Duncannon, the Earl of Ossory, Mr. J. Lambert, Mr. Chapman, and, above all and before all, Mr. Daniel O'Connell. This Committee not only published this charge of Baron Smith, and referred to it in their report in terms of the most marked approbation, but the Chief Justice, the head of the Irish law bench, having spoken of Baron's Smith's charge in language of the warmest praise, the Committee published his approbation of the charge, as well as the charge itself, as he (Mr. Shaw) would then read to the House, from the same Appendix to their own Report. The Chief Justice thus speaks, referring to the charge of Baron Smith—"An appeal from this bench upon all those topics which you cannot have forgotten—an appeal carrying with it a weight, instruction, and persuasiveness, upon which, placed as I now am, I am not left at liberty to say more, than that I will not, by a worse than useless repetition, run the risk of effacing the profound impression made upon your hearts and understandings." Then, as regarded the Government—the very Government who were now supporting this Motion — their Attorney-General, their first law officer and public prosecutor, in opening a Special Commission after a number of those very "charges" of Baron Smith's had been delivered, refers to them in the following terms:—"All that can be said upon the subject may be expressed in a single sentence, in an address of Baron Smith, delivered at the last Spring Assizes, and which I am happy to say, has been published, and is in extensive circulation. His Lordship says, "No grievance which the people can suffer, would be so great, as that which they would inflict upon themselves by the subversion of the law." He would then ask the right hon. Secretary for the Colonies (Mr. Stanley), if he had not himself praised, those very charges when he was Secretary for Ireland?—if he had not selected the very Judge whom he now joined in censuring as a "political haranguer," after he had pronounced a considerable number of those charges that are now called "political harangues?" Aye! and because he had pronounced him the fittest Judge to preside with the Chief Justice at a Special Commission. He (Mr. Shaw) would further inquire, had any counsel, any criminal, any Grand or other Juror, or any human being connected with the administration of justice, ever made a complaint to the Government, or of which the Government were aware, of Baron Smith, either in respect of his alleged "neglect of duty," or of those alleged "political harangues?" Or had the Irish Government, with whom Baron Smith was in constant communication, or the Lord Chancellor, or any one in authority, ever intimated or hinted to him, before this measure of extraordinary severity was resorted to, that objection was taken either to his late hours or the topics he had introduced in his charges. He answered, never! and he would close this part of the case by emphatically asking of the right hon. Secretary for Ireland—and he entreated, that if the right hon. Gentleman could give a satisfactory answer, he would interrupt him (Mr. Shaw) to do so—had he, or any other individual connected with the Irish Government, ever directly or indirectly, made a communication to Baron Smith on the subject, save and except one, and that one—a promise that the right hon. Gentleman and the Government would oppose the Motion against Baron Smith, which they were at that moment supporting, with reference to the peculiar and extraordinary condition of Ireland, which induced Baron Smith, as he himself has stated in these charges, to depart from his ordinary habit, and introduce unusual matter into his charges to Grand Juries. He, in proof of it, need only quote the King's Speeches of the last and the present year, and the language in which the Prime Minister, in recommending the Coercion Bill to Ireland, described that part of the United Kingdom; he said, that "the most extensive combinations were formed against the laws;" that all their "ordinary functions were suspended;" that "injured persons dare not prosecute, witnesses give evidence, or jurors convict;" and that, in short, all the ordinary means of enforcing the laws, or vindicating their authority, had been tried in vain. Would this have been correct, unless he could have included the best exertions of the Judges of the land in support of those violated laws and their despised authority? And is it then to be considered a crime demanding the censure of Parliament—that one of these very Judges should raise his warning voice from the bench against the very practices which Lord Grey denounced as the cause of all this evil—should trace crime to its true source—should endeavour to arrest agitation on the direct road to a transgression of the law, and caution the deluded and unfortunate "misled" against their factious and seditious misleaders?" Lord Grey very justly reminds the Legislature that "*salus populi, suprema lex*." Lord Bacon has informed the Judges that they, above all other things, must attend to that conclusion of the Roman tables, "*salus populi, suprema lex*"—and that, "unless laws are in order to that end, they are but things captious." And here he (Mr. Shaw) might be permitted to quote a passage from a charge of that distinguished author, bearing precisely on the present question. Lord Bacon, in his speech to the Judges before the summer circuits, in the year 1617, observes,—"Next, let me commend unto you the repressing, as much as may be, of faction in the counties, of which ensue infinite inconveniences and perturbations of all good order, and crossing of all good service in court or country, or wheresoever. Cicero, when he was consul, had devised a fine remedy, a mild one, but an effectual and apt one; for he saith, '*Eos, qui otium perturbant reddam otiosos.*' Those that trouble others' quiet—I will give them quiet. They shall have nothing to do, nor no authority shall be put into their hands. If I may know from you, of any who are in the country that are heads or hands of faction, or men of turbulent spirits, I shall give them Cicero's reward as much as in me is." Now, the right hon. Gentleman (Mr. Littleton) seemed perfectly acquainted with Cicero's remedy, but to have applied it after a truly Irish fashion; Lord Bacon, when instructing the English Judges in their duty, says to the Judge, "Let me know of any who are heads of faction, or men of turbulent spirits, and, as much as in me is, I will give them quiet — they shall have Cicero's reward;" but, in Ireland, the right hon. Secretary says to the head of all faction and all turbulence, point out to me the Judge who thwarts you in your course—who mars your projects, or checks your agitation—and, in the fullest transposition both of the letter and the spirit of Cicero's maxim, "*qui otium perturbat*," let me but know, and "*eum reddam otiosum.*" The hon. and learned Gentleman (Mr. O'Connell) said the other night that he protested against any inference that he ever admitted Baron Smith had "learning" or "integrity"—that he never did admit he "was a learned Judge," a "man of enlarged views," or who "understood the law of the land."

Mr. *O'Connell* denied having used these words.

Mr. *Shaw* said, he read them from a note he had made at the moment; that he was borne out by the recollection of many hon. Members around him; and that all he could say, was, if the hon. and learned Gentleman had not spoken the words himself, some other person had spoken them out of his mouth. He would refer upon that point to an authority which was not wholly inapplicable:—In the year 1827, there had been much interest excited in Dublin by an action which was brought against a Roman Catholic clergyman, the reverend Mr. Maguire; and shortly after it had terminated he found it reported in the *Evening Post*; but the hon. and learned Gentleman would recollect, that the *Evening Post* then, was not the same *Evening Post* it was now; it then supported the political views of the hon. and learned Member. The extract, however, was as follows—it purported to be from a speech delivered by a leading member of the Roman Catholic Association, on the 15th December, 1827, he said, 'He had a Motion to make, but although 'notice of it was not on the books, he was 'sure they would dispense with it—he 'alluded to the triumph achieved by the 'reverend Mr. Maguire; it afforded one 'instance of the perfectly pure administra'tion of justice; we had the Bench filled 'as it ought to be filled on that occasion; 'a truly learned Judge presided, whose 'dignified impartiality is graced by almost 'superhuman talent; his great mind is 'like the diamond whose brilliancy and 'preciousness renders it of inestimable 'value.' Who was that Judge? The same who this night stood accused before this House. Who pronounced that glowing encomium?—The same individual who this night stands before you as his accuser. Yes, in 1827, Catholic Emancipation had not yet been granted; Baron Smith had been one of its ablest advocates; a Roman Catholic clergyman had obtained a verdict; under the sanction, no doubt, of his righteous judgment; and Mr. Daniel O'Connell of the Irish Catholic Association (I speak of an historical fact) said Baron Smith was "a truly learned Judge;" his "dignified impartiality" adorned the Bench, and was an example for all others. His talents were "superhuman," and the diamond was a suitable emblem of his "preciousness," and his "inestimable value." In 1834, a Repeal of the Union is the question which serves to keep up agitation in Ireland. Baron Smith was a friend of the Union; he had felt it his duty to warn the deluded instruments of agitation against those who would mislead, and afterwards betray them; and the hon. and learned member for Dublin not only said, he (Baron Smith) was neither learned nor talented, but that he never said he was, and described him as a "political partizan"—one whose object it is to "excite and perpetuate religious animosities"—one "who will not administer the law impartially, but preaches disturbance and enmity among the people." Why, the hon. and learned Gentleman was not satisfied with deluding the people, but he wanted to delude this House; he knew well that if he made that charge against Baron Smith before an Irish audience, choose them from what rank or class, he might—no matter of what religious persuasion, or what political creed—that there would not be one individual amongst them who would believe him. Nay, he doubted not that he would yet adduce as an argument in favour of the Repeal of the Union, that he told them Baron Smith was a "political partizan"—the "promoter of religious strife"—a man before whom "a Roman Catholic could not expect a fair trial"—and that those Englishmen were so ignorant of the affairs of Ireland, and the opinions and feelings of Irishmen, that they believed him. But he would not weary the House by longer dwelling on the inconsistencies of the hon. and learned Gentleman. He trusted that he had convinced the House that there had neither been neglect of duty or the introduction of improper matter into his charges, on the part of Baron Smith; but supposing even there were some trifling indiscretion; some expression or allusion that you would rather had been avoided; was that the real question? Has there been the remotest crime—the approach to an offence imputed—which could justify the extreme and extraordinary exercise of power this House was called upon to put forth? 'No (continued 'the hon. and learned Gentleman) I challenge the boldest adventurer in Irish agitation to stand forward before an assembly 'of English gentlemen, and bring a charge 'of the slightest corruption, partiality, 'oppression, or any other species of criminality against Baron Smith. Let them betake themselves to the veriest haunts of 'faction, turbulence, sedition, and cater 'in the fœtid atmosphere of the most 'squalid misery and vice—let them include, 'nay, I should wish they would, every 'criminal that learned Judge (who, if he 'had a fault, it was that he was too humane) 'has ever tried, and I defy them to carry 'thence one single breath wherewith to 'sully the pure and untarnished reputation of that distinguished man." Had one individual dared throughout the two nights of this discussion, to cast the shadow of an improper motive across the long and honourable path of his Judicial life. What then? Would that House—the question was not whether they approve or disapprove of some particular phrase or figure, or some trifling unpunctuality; but without the imputation of a crime—without the charge of an offence—drag that venerable man—the father of the Irish Bench—the head and ornament of Irish society—the pride of Irish literature; him—who in the days of his youth, his vigour, his health, had illumined the brightest pages of Irish history—now, when the brightness of his former fame and great attainments was sinking into the peacefulness of retirement, full of years—covered with the honour, respect, and esteem of his entire country—and place him a criminal at that Bar! Forbid it justice, honour, truth! Was there a generous mind, a feeling heart, a noble sentiment in Ireland, that would not revolt against an act of such grievous injury—such wanton, crying, cruel, unprecedented injustice? And who was his accuser?—who was it that asked the House without evidence, and upon his mere statement, to condemn that aged and venerated Judge? The factious, turbulent, and seditious Agitator; the man who caused the passing of a special Act of Parliament against Illegal Associations—violated its provisions, and escaped its penalties by its accidental expiration—who is, at this moment, vicariously suffering in the person of another the punishment of that sedition of which he is this night the advocate—and whom that very Parliament are now only holding within the bounds of allegiance and the limits of the law, by the provisions of an extreme and extra-constitutional Statute. Was that the man at whose feet they would prostrate the laws of the land, and in place of their mild and salutary sway, set up the iron rule of his dictation? Would they subvert the Judicial Bench, and for it substitute the arbitrary will of one despotic tyrant? Would they render insecure their persons, properties, and lives? Would they, at his bidding, drive peace, and safety, from Ireland, and leave the inhabitants, and their children, at the mercy of the lawless agitator—a prey to the midnight murderer, and the voluptuous assassin? Would they overturn the altars of the Protestant religion? He spoke that in no spirit of religious or sectarian bigotry—he had been himself friendly to the concession of political equality to his Roman Catholic fellow-countrymen—he thought they would have then been content; but he was grievously mistaken. They cried aloud for the destruction of the Protestant Church; and if this policy be continued, it will but inflame the infuriate zeal, with which the Irish Agitator thirsts for the life's blood of Protestantism. He spoke not personally of Protestants, but religiously of Protestantism. If they confirmed the vote, they would set the most fatal precedent that ever was established in a British House of Commons—they would abrogate the boasted Charter of Judicial independence, passed not to uphold the personal rank and dignity of the Judge, but as the best security of the rights and liberties of the subject. And as to Ireland—they would stab to the heart her laws, her liberties, her peace, and her prosperity; and with them would fall withered to the ground every hope of amelioration in the unhappy condition of that unhappiest of countries.

Mr. *O'Connell* said, that no man was more disposed than he was to discuss the question before the House with perfect coolness and tranquillity of temper. He might, perhaps, lose in point of figure, but in the observations he had to offer he was sure he could not lose by contrast with the concluding part of the speech of the hon. and learned Gentleman, the member for the University of Dublin. He felt he had a painful task to perform; but he would endeavour to discharge the duty he had undertaken, notwithstanding the abuse and personalities by which he had been assailed. It was not his intention to occupy the time of the House in defending himself against these personal attacks. He had been accustomed to these attacks, and so far from their producing any effect upon him, he now gave to every hon. Member the completest latitude for personal abuse. He was not there to defend himself, but to state to the House the reasons why they should not sanction the Motion of the hon. Baronet, and, in doing so, he would endeavour to be as brief as possible. In bringing the charge, he had been actuated by no personal or political feeling; he had undertaken it solely on public grounds; and now he called on the House to consider the case as it really stood. On Thursday, they came to a solemn determination, expressed by a deliberate vote of that House, to do—what? Why to inquire into certain charges preferred against a Judge in Ireland; and what were they now called upon to do? They were called upon to rescind the determination which they came to on a former night, after the most grave and deliberate consideration. What, he asked, would be thought of a grave deliberative assembly, who came to a solemn decision on Thursday, and in a week afterwards rescinded that resolution? He hoped that they would not stultify themselves by sanctioning such a proceeding. Did the House recollect a case which occurred in the last Session, when, upon a question involving the most serious consequences, when the revenue of the country was at stake, they had, upon a Motion of the Chancellor of the Exchequer respecting the Malt-tax, rescinded the vote which they had passed but four days before? Were they not taunted in every shape and form?—and did they hear the end of it for months afterwards? If, upon that occasion, they yielded to the Motion of the hon. Baronet, and upon a question like the present, in the second Session of a Reformed Parliament, again reversed their former decision, what would the country think of the absurdity—he might almost say the turpitude—of such an act? Oh, there was one reason for the course which the hon. Baronet and learned Gentleman had adopted. No matter what delinquencies were perpetrated against the people, they conceived that there should be perfect impunity for the offenders. The party which the hon. and learned Gentleman represented, had never been called to account or punished for the crimes they had committed against the people; and that opposition was got up for the purpose of perpetuating the old system of Tory misrule in Ireland. But he called upon the House to show them that this impunity was at an end; that a faction should no longer be permitted to trample upon public liberty—a faction whose energies were directed to engender strife in the country—to destroy every social feeling, and who, under the mask of religion, had taken every opportunity, through the medium of their travelling conventicles, to insult the religion of the people. The people of Ireland felt that the present Government intended to redress their grievances; they had every confidence in the right hon. Secretary for Ireland, because they felt that he was disposed to benefit their country; they had experienced, even during the short administration of the right hon. Gentleman, a proof of his determination to deal out to them impartial justice; and it was because the hon. and learned Gentleman saw that the reign of impunity was threatened, that he entertained the House with the pathetic and lachrymose oration which they had just heard—"Hinc illæ lachrymæ." Hence the tears which were so profusely shed by the hon. and learned Gentleman. Oh, they were not party tears at all; they flowed freely and spontaneously from the pure fountain of charity; they were, in fact, the genuine essence, the very "life's blood of true Protestantism." The hon. Baronet, and the hon. and learned member for the University of Dublin, had both talked much about the independence of Judges. The Judges in Ireland were certainly independent of fear; but were they independent of favour? They were independent of the Crown; but were they to be independent of Parliament? Was there no power to which they should be responsible for their misconduct? The Judges were independent of the people, because no action could be instituted against them. The hon. Baronet had talked a good deal about his love for Ireland. During his Parliamentary career he had an opportunity of showing it, but the manner in which he evinced his love for the people of Ireland was, by voting against their liberties. He might, no doubt, and he believed the fact to be so, that the hon. Baronet acted from conscientious motives, but he confessed it sounded somewhat strange in his ears, to hear the hon. Baronet talk about his love for Ireland. He had been taunted with not having his list of names ready when the House voted for the appointment of a Committee; and this circumstance had been urged by the hon. and learned Gentleman as a proof that he did not expect that his Motion would have been carried. This point could be easily explained. He did not come down to the House with the names of a Committee, because he could not foresee the course which it might be necessary for him to take. Circumstances arose in the course of the discussion which obliged him to alter his original intention. Some members of the Government had voted against him. Was he wrong, he would ask, under all the circumstances, in asking the assistance of the Government in naming that Committee? In the course which he pursued, he could solemnly affirm, he was solely influenced by motives of the strictest justice towards Baron Smith, and his object was to divest the case of the slightest appearance of party or partizanship. In proof of this, he might adduce the fact, that when the hon. and learned Gentleman requested a postponement for a week, he not only assented, but, unsolicited, offered to postpone it for a fortnight. He would next advert to the case of Judge Day, which had been relied on by the supporters of the present Motion. With respect to the charge of that Judge, there were parts of it of which he certainly could not approve; but was it to be used as an argument, that political charges were justifiable because Judge Day had made one?—His charge against Baron Smith was two-fold. The first part related to a neglect of duty—the second, to a political charge delivered by him in October. He took up the two topics. But, before he proceeded further, he must say, with respect to an observation which had been made by the hon. and learned Gentleman in the course of his speech, that if he understood him to disparage the talents of Baron Smith, he had completely mistaken him. The case to which the hon. and learned Gentleman referred was too strong in his recollection, but it was a curious fact, that this very party who now had taken up this case for the learned Baron, were his most violent assailants at the very period to which the hon. and learned Gentleman referred. Indeed, if such language had been used towards a Judge of the land by persons who did not belong to the party for whom there was then perfect impunity in Ireland, they would have been prosecuted, convicted, and punished for the offence. He would then speak of his charge. The hon. and learned Gentleman had stated, that he (Mr. O'Connell) had made this charge upon his own authority, and unsupported by any documentary evidence. Now, this was not the case. He produced the Return, showing that fourteen persons had been tried, with one exception, for felonies, between the hours of six o'clock in the evening, and six o'clock in the morning. He had also shown, not by his own assertion, but by a Parliamentary Return, that Baron Smith never went into Court before half-past eleven in the morning. If Baron Smith's object was to expedite the public business, had he not a very plain and simple course by which he might have accomplished it? Instead of taking the bench at half-past eleven, could he not sit at eight; and between that hour and eight in the evening, would he not have gone through much more business, than he could possibly accomplish between six in the evening and six in the morning. It had been stated by the hon. and learned Gentleman, that the calendar was more than double, in consequence of persons who were sent on bail coming in to take their trials, and that the cause of Baron Smith's late sitting arose from an anxiety to deliver the gaol, and get through the business of the Assizes with as much dispatch as possible. If this was really his object, why could he not have tried those who were in gaol charged with felonies during the day, and leave those who were out on bail for the last; and if he found he could not get through the latter cases within the prescribed time, could he not adjourn the Assizes, and come back again to finish the business of the county. This plan, it might be said, would inconvenience the Jurors; but would it not be a much greater inconvenience to Jurors, and a still greater injustice to the prisoners, to compel them to proceed with their trials during the night? The hon. and learned Gentleman had stated another instance of expedition on the part of Baron Smith, where he described him as setting off in the night on a journey of sixty miles, in order to be in time to open the Assizes in the next town on his Circuit the following day. Now, it turned out that these so called sixty miles were scarcely forty. [An *hon. Member:* Thirty-eight.] An hon. Gentleman near him said it was only thirty-eight. Well, he would not quarrel about the distance; but he altogether denied the necessity of those midnight expeditions, because Baron Smith was not to preside in the Criminal Court in the next Assize town. The case which the hon. and learned Gentleman had adduced, only proved that the learned Baron entertained the same passion for travelling, as he did for trying prisoners by night. It was said, that the hon. and learned member for Monaghan (Sergeant Perrin) did not intend to persevere in his Motion, because he said he had not grounds to substantiate his charge. The hon. and learned Gentleman would be incapable of bringing forward a charge against any Judge, unless he were satisfied that he was able to prove it. But the hon. member for Monaghan had assured him that the quantity of public business which remained at the close of the last Session, alone prevented him from going on with his Motion; but he had been fully determined to bring it forward in the present Session, if he (Mr. O'Connell) had not taken it up. It was stated by the hon. and learned Gentleman, that the habits of the Irish Judges were much later than those of England. He admitted that, during term, the Judges in Ireland did go into Court later than the English Judges; but this was because they had not so much business to do. But in the county towns, on Circuit, the usual hour at which the Judges took their seats was nine, certainly not later than ten o'clock; and he (Mr. O'Connell) defied any hon. member for Ireland to instance the case of a single Judge (Baron Smith excepted) who was in the habit of taking his seat at a later hour. He would state to the House a fact, which he knew of his own knowledge, respecting Baron Smith. It was the practice of that learned Judge, during the sittings in *nisi prius*, not to take his seat upon the bench until twelve, one, and sometimes two o'clock; and a client of his had been seriously injured, being obliged to submit to the postponement of his trial in consequence of the irregularity of the Judge. With regard to what had been urged in defence of the learned Baron, relative to the late hours at which he entered Court, and the unseasonable hours to which the sittings were prolonged, he begged to say, that such was not an occasional occurrence, but was, to a certain extent, a habit with him. Hon. Members would recollect the affray, some time since, at Castlepollard, in which eleven persons—some say fourteen—but certainly eleven persons, lost their lives. The police were put upon their trial for murder, and Baron Smith was the Judge who tried the case. The Court did not sit on the first day until half-past three in the afternoon, and on the following day, not until half-past seven. The counsel for the prisoners wished for an adjournment, but that was refused. The Court sat on the second day until six o'clock on the following morning, when the Jury, not being able to come to an agreement, the prisoners were acquitted in consequence. He did not mean to say that they ought not to be acquitted; he thought they ought not. One of the Jury had caught a cold upon the occasion, and had, from that day to the present, been afflicted with deafness. [*A laugh*]. Was it, he would ask, a subject for laughter that an Irish Juror had been afflicted with an incurable disease from his zealous discharge of his public duties? He was glad that he had misinterpreted that laugh. So far for the first charge of neglect of duty. That part of the case, he thought, was proved, entirely and completely. He (Mr. O'Connell) had been called a prosecutor in this case. He did not mean to refuse the designation. He was bound in this case to be a prosecutor; and he was ready with the proofs of the charges he had submitted. Who was it who was shrinking from the inquiry? It was the hon. and learned member for the University of Dublin, and not he (Mr. O'Connell). It was his party who was shrinking from the charge; and finding he had but one chance, he endeavoured to awaken the sympathy of the House, by an appeal in favour of a Judge venerable from his years. That, in his judgment, was an improper proceeding, and one to which the learned Gentleman should not have had recourse. In the accusation which he (Mr. O'Connell) had brought forward, he would appeal to the House had he displayed any symptoms of party or of factious feeling? Why then was it sought to be made a party question? In the defence which had been set up, many of Baron Smith's charges were referred to, while he had merely grounded his accusation upon one—that delivered at Dublin. To be sure it might be said, that in his notice he had used the word "charges." He had done so, and he had done it from the sole motive that Baron Smith's defenders might, in the Committee of Inquiry, have any advantage that could be derived from his other charges. He had done it merely to give them an opportunity of defending him by reference to all his charges, if any extenuating matter could be found in them; but the Committee and not that House, would have been the proper place to have referred to them. What was the defence set up for that charge? Why, that there was political agitation existing at the time in Ireland, and that, therefore, Baron Smith was bound to deliver the charge. He should deal with the fact before he came to the inference. In point of fact it so happened for the preceding fifteen years there never was a period in which there was less agitation than at the time that charge was delivered. The charge was delivered in October, and from the preceding February, not a single meeting had taken place in Ireland. To the right hon. Secretary for Ireland he would appeal for the truth of this statement. The right hon. Secretary was in Ireland for several months before, and could bear him out in that statement. So that the charge was not to put down agitation, but was itself the beginning of agitation. The agitation which had slumbered from the preceding February, was recommenced by Baron Smith's "sounding the tocsin." Now, he would suppose the case to have occurred in England. He would suppose a Judge, in London, presiding at the Old Bailey, who took upon himself the duty of sounding the tocsin, by making a political harangue. Would that be tolerated? Would the House for a moment refuse to grant an inquiry into his conduct? It had been said, indeed, that it was a "special commission at which the charge was delivered, and that it was necessary for the Judge to deliver a political charge at it. He had often heard of special pleading; but grosser special pleading than that he had never heard. "You have approved," it was said to the House, "of political charges made at Special Commissions; but this was a Special Commission, and, therefore, why not approve of this?" More unfounded reasoning could not be attempted to be imposed upon the House. That Commission was appointed to be held six times a-year, and the Judges presided there in their robes, and there was nothing "special" about it, no more than there was in the Recorder's own Commission, where he presided in a King's counsel's gown and wig. At a Special Commission Judges were unquestionably bound to explain the nature of the crimes which had called for the Commission—but, in a regular Commission, such as that at Dublin, with no political crime upon the calendar, what excuse was there for launching into a long and inflammatory dissertation? If the House refused this inquiry, let them look to the monstrous principles it would establish. It would establish the right of Judges at every commission to enter into political dissertations, to deliver lectures upon agitation, to neglect their duty, and say to Grand Juries, "As there is nothing upon the calendar to call for observation, let us talk of the state of the country." That would be really the principle the House would establish. It was the principle contended for by the hon. and learned member for the University of Dublin. It was right in the opinion of that hon. Gentleman for a Judge to dwell upon any topic or every topic but that to which it was his duty to advert; it was quite right for him to spread the seeds of religious animosity, and to halloo Protestant against Catholic, and Catholic against Protestant. That was the learned Gentleman's doctrine. The House had seen in that Gentleman's Address, a specimen of the party which he represented; from which they might judge from what a political thraldom the people of Ireland had escaped. There was—and he regretted it—a party spirit in Ireland, and the House had seen a melancholy specimen of it that evening. But the defeated had a right to be angry. He could not quarrel with the hon. and learned Gentleman when he reflected upon the desperation of his cause. There were two factions in Ireland, directly and mainly opposed to each other. But was it not desirable that justice should be fairly administered between them? Was there not to be, at least, one spot free from the influence of factious feeling, to which both parties might look for impartial justice? Ought not the Bench, at least, to be free from partiality? And could it for a moment be held that Baron Smith had steered clear of party feeling in the discharge of his duty? Why to such lengths had he gone as even to include Cabinet Ministers in his dissertations. If the House then stultified itself so far as to refuse the inquiry, after having promised it, who could suppose the people would have any confidence in the administration of justice? And the only excuse they could offer to the country for so strange a step, would be that the hon. and learned member for the University of Dublin, who, it would be recollected, was no party man—not at all influenced by any factious prejudice—had made an appeal to the passions of the House which had influenced them to retrace their steps. When speaking of that learned Gentleman he did not at all mean to deny, that he had discharged his official duties efficiently and impartially. He had no personal feeling in depriving the learned gentleman of the merit he deserved, and he could readily pass over his attempts to be severe upon him; for while he was rewarded by the confidence of his countrymen, and that they were pleased to think his exertions were of service, he could afford, in the consciousness of the purity of his own motives, to overlook the attacks made upon him. All he wanted of the House was, to give fair and impartial justice to Ireland; not to suffer the kindly disposition which was just springing up towards his country to be thus wantonly crushed. He wanted them, in fact, to preserve Ireland from her friends—from such friends as the hon. Baronet, whose acts were at such direct variance with their professions. He wanted the House not to suffer judicial negligence to pass over with impunity. He should conclude where he had commenced, and call upon the House not to extend, in the present case, that impunity which had so long appeared to be the chartered right of a party in Ireland. For a long time the people of Ireland had been accustomed to see this impunity extended even to positive acts of oppression, and it was not till the accession of the present Ministry that they indulged a hope of fair and impartial justice. He implored the House not to destroy the feeling of confidence they had created, and stultify themselves by deliberately rescinding a decision which they had as deliberately formed.

Colonel *Conolly* said, that he should not presume, at that late hour, to trespass upon the attention of the House, notwithstanding the importance of the question then under discussion, were it not that, having the honour of an intimate acquaintance with Baron Smith, he wished to bear his testimony in favour of the worth, the talent, and the high character of that venerable and estimable person. It was unnecessary for him (Colonel Conolly) to superadd anything to the eloquent and convincing statement made by his hon. friend, the member for the University of Dublin (Mr. Shaw), and to which the House had paid the tribute of its applause; but he could not help remarking that the hon. and learned Gentleman, the member for Dublin, had not attempted, in the course of his speech, to reply to a single argument adduced by his hon. and learned friend. The hon. and learned Gentleman had gone wide of the mark, was evidently writhing under the castigation he had received, and, as was usual with him, who, in fact, could not open his lips but when he indulged in vituperation and scurrility; and charged the learned Judge with being the cause of that party malignity which all his efforts were directed to assuage. [*Several Members rose to Order.*] Colonel Conolly said, that, seeing the line invariably adopted by the hon. and learned Gentleman, he considered himself authorized in using the term scurrility; but if the House thought the expression too strong he should retract it. He would contend, however, that, instead of arguing the question, the hon. and learned Member for Dublin had gone on asserting, and without adducing a shadow of proof in support of his assertions, that Baron Smith had tried to stir up religious strife in Ireland, and was, in fact, the cause of the party malignity which no man could doubt existed in Ireland, and which all good men must deplore. He must deny, most emphatically, that hon. Members on that side of the House were actuated, in the line they were pursuing, by party or political feeling, They considered that Baron Smith had been treated with precipitate injustice in the course that had been followed on a former evening, and they now called upon the House to reconsider a decision which, if not reversed, must be fraught with the grossest injustice to the individual, and with the most incalculable mischief to the country. If any man on the Irish Bench—and all the Judges in that country were men of the purest character—if any man, he would repeat, on the Irish Bench stood freer than another from the charge of political partizanship, it was Baron Smith. He was considered at one time the idol of that party who were now so anxious to inculpate him. He continued their idol until he had the courage to expose the fallacy of the Jesuitical sophistry which was deluding the people of Ireland into a belief that passive resistance to the law was not merely legal, but praiseworthy. When he found Juries intimidated, the laws laid prostrate, and justice a mockery, he raised his warning voice—he addressed his deluded countrymen, not in the language of reproach, but of admonition; and his charges at Maryborough and Mullingar, and which were praised by the Chief Justice, the Attorney General, and even by a Committee of that House, had the effect of inducing Jurors to do their duty; criminals were convicted, the majesty of the law was asserted, and the country tranquillized. And was it for producing such effects that Baron Smith was to be dragged to the Bar of that House? He perfectly agreed with his hon. friend that there was nothing in the present charge, in the least, to inculpate him. There was nothing, in fact, to submit to a Committee—there was nothing, in fact, to inquire into, inasmuch as his Majesty's Ministers had stated, that supposing all the charges preferred by the hon. and learned member for Dublin to be proved, that no case existed to warrant the House in addressing the Crown to remove the learned Judge. What the hon. and learned member for Dublin considered as a crime, entitled Baron Smith, in his apprehension, to the greatest possible praise. And was it to be tolerated, that because he had the courage to denounce agitation—because he pointed out its evil tendency, and did his duty fearlessly by his country and society, that he was to be sacrificed to the very Moloch of agitation? Could any man believe that Baron Smith was the promoter of agitation, and the hon. and learned member for Dublin the promoter of peace and harmony? Yet the hon. and learned Gentleman would have the House believe that such an inversion of facts would enable them to come to a just conclusion. That hon. Member called upon the House not to stultify themselves by reversing a decision come to on a former night; but in his opinion, the House would more completely stultify itself by granting the inquiry. In conclusion he besought hon. Members to pause before they dragged to their Bar a venerable individual, who had, for upwards of thirty years, filled a high judicial situation with credit to himself, and with benefit to society, merely because he denounced everything that was pernicious to his country, and thereby earned for himself the hatred of the agitator and the demagogue.

Sir *Robert Peel* was convinced, that the House—this being the second night's Debate upon the merits of this subject—must be most anxious to bring the discussion to a close. Before he made any other observations, he would promise, and rigidly adhere to the promise, as he never wished to force himself upon the attention of a reluctant audience, if the House would lend him their attention for a very short time, to introduce no irrelevant topic, and to steer clear of all considerations of a merely personal or party nature. He considered that the Motion implied a great compliment to the House. It implied a confidence in their integrity and moral courage, thus to give them the opportunity of revising what they had once determined; and, if they felt that determination to be wrong, to reverse it. Numerous appeals had been made to the House to-night; appeals to false pride; appeals to the sense of shame, and to the fear of ridicule. He knew the force of those appeals, and the obstacles they interposed in the way of retracing the path on which they had once entered; but, he felt confident, if the House should be convinced, that they were placed in a critical and embarrassing situation—if they had reason to believe that the precedent they were about to establish was pregnant with future danger—that the step which they had taken involved an act of injustice towards an individual, and that individual an aged and venerable Judge—he had that confidence in the impartiality, the good sense, the moral courage of the House, that he could not doubt that it would revoke a hasty and ill-considered decision. Two charges had been preferred against the learned Judge; and the House had resolved to appoint a Select Committee to consider those charges. Now, let them weigh dispassionately the force of every argument, by which it was attempted to convince them that they ought to adhere to their resolution. The right hon. Gentleman, the Secretary for the Colonies, said, that his main reason for having acceded to, and for now adhering to, the proposition, was, that it was the interest of Baron Smith that the inquiry should be made. "Here are charges," he said, "preferred against a Judge; and why should we not give him an opportunity of disproving them?" Was the House, then, prepared to adopt now—and to act in future upon—that principle? Were they to permit, to invite, as it were, every dissatisfied suitor to bring his charges against a judicial character, and then, because charges were preferred—because, perhaps, they assumed a plausible shape—were they to devote the public time to investigations into their truth, and to diminish the efficiency and value of the services of the Judge, under the pretence that it was his interest that the accusation against him should be inquired into? Ought they not to ask themselves this preliminary question? Was the accusation a grave one? Did it affect the impartiality, the integrity, or the moral character of the Judge?—if proved, would it justify an appeal to the Crown for his removal?

The first charge in this case against Baron Smith was, neglect of duty:—and what was the allegation to sustain it? Why, that this aged Judge sat, in the administration of justice, for eighteen hours together—that, for four days, on an average, he sat not less than fourteen hours a day. Neglect of duty, indeed! Here was a Judge, advanced in years, of health far from robust—entertaining the honest, perhaps the mistaken, impression, that justice and mercy required that the trials of prisoners should not be delayed; he gave up his days and nights—he consumed his strength, and impaired his health in the performance of his high functions—and the result was, that he was to be tried for neglect of duty! It might be much better to open a Court of Justice at ten o'clock than at half-past twelve: but, before the House determined that there was any *primâ facie* evidence of neglect on the part of the Judge, they must look a little into the habits of society; they must inquire whether the habits of Counsel in Ireland correspond with those of barristers in this country; whether it were the custom of Counsel to hold their consultations in the evening? Whether they were not, on the contrary, almost uniformly held in the morning? and whether the opening of the Courts in Ireland, at a later period than in this country, did not arise from the state of society there, and the habits of life of those whose presence was essential to the administration of justice? It was easy to prefer vague charges of neglect of duty. Suppose such a charge were preferred against his Majesty's Ministers; suppose a Member were to rise, and after gravely and justly observing, that the time of Ministers was the property of the people, and that it was not decorous that the petitions of the people should be presented in the absence of Ministers, were to assert, and offer to prove, on unquestionable evidence, that the House sat every day for the reception of petitions, from twelve to three in the afternoon, and that Ministers were never present? Supposing, after thus having preferred his charge of neglect of duty, he should move for a Committee of Inquiry,—would the right hon. Gentleman, the Secretary for the Colonies, think it would be for the interest of Ministers to accede to the Motion?—that it would be consistent with the influence of a Minister in this House, with the dignity of his station and character, that because a plausible *primâ facie* charge of neglect of duty was preferred, he should be forthwith sent before a Committee of Inquiry to repel the charge, and to account for his absence? If trumpery charges of that kind, involving no moral delinquency, implying no taint of corruption, might be preferred against public functionaries; and if, because they were preferred, the House was bound to appoint Committees of Inquiry—that would be a principle fatal to the discharge of all other public business,—fatal to the efficiency, and degrading to the character, of all public men, whether Ministers or Judges. The hon. and learned Gentleman had abandoned the official documents which had been laid before the House, and on which alone his original charge was founded, and proposed that he should be allowed to institute a vague and general inquisition into the whole life and practice of this Judge, in the hope that he might discover some new ground of charge. He said, that he could establish the fact, that, for many years past, Baron Smith had been in the habit of opening his Court at a very late hour. Was it fair of the hon. and learned Member, having never made a complaint against this alleged practice, which had prevailed for years — having given no notice to the learned Judge that such a complaint was to be preferred, was it fair to prefer it now? They had been told that Baron Smith had tried prisoners at unseasonable hours. Did not the noble Lord, the Chancellor of the Exchequer, know that in many parts of this country—at Quarter Sessions in particular—criminal trials had been proceeded with, at hours which, without any reason assigned, would, at first sight, appear most unseasonable? In the noble Lord's own county, Northamptonshire, was it not the practice, until very recently, to begin the trials of prisoners at a late hour of the evening, and to continue them till midnight? There might have been, there was, probably, sufficient reason for the practice: but supposing a charge were brought against the noble Lord, and the other Magistrates, on this account, would the House of Commons, there not being the slightest imputation of partiality or of practical injustice, send the noble Lord on his trial before a Select-Committee, merely because such a charge had been preferred? Let them consider the course on which they are invited to enter, and the consequences to which it would lead; let them inquire whether, since the period when the independence of the Judges was established by law, there were any precedents for inquiry into their conduct; and whether, if there were such precedents, they had redounded to the credit of Parliaments. When the House of Lords called Lord Chief Justice Holt before it, to account for his conduct in the Banbury case, for his having in that case delivered a judgment—by which he set aside the jurisdiction of the House of Lords—the Chief Justice did, indeed, appear before the Lords, in compliance with their summons; but what was his answer to the demand that he should account to the Lords for the judgment complained of? 'I hold,' 'said he,' an authority independent of yours. 'I gave my reasons for the judgment I 'delivered in that place, in which I had 'sworn to administer justice. By the House 'of Lords I look to be protected, and not 'to be arraigned; and I will not assign 'the reasons on which I founded my 'judgment.' Did that case differ from the present, in so far as the judicial charge of the Judge was concerned? Might not Baron Smith who delivered his charge, in the conviction that he was honestly performing his judicial duty—might he not demur to the jurisdiction of the House, and deny its right to put him on his trial for a judicial act, on the mere ground that the House differed from him as to the prudence or discretion of that act? The charge of neglect of duty stood on different grounds; and if it were a grave charge—if the proofs of injustice arising from that neglect were numerous and strong—he did not deny the competency of the House to inquire into it; but he denied the wisdom—the prudence—the justice—of arraigning a Judge, unless upon some charge of personal corruption—of gross and grievous neglect of duty, warranting his removal from the Bench. No such neglect was imputed to Baron Smith; and the accusation was frivolous in the extreme. With respect to the other accusation—that founded on the improper matter introduced in the judicial charges of the Judge—how was it possible to deal with it? The express complaint was, that certain charges, delivered by the Judge contained political matter. Yet all admitted, that, under certain circumstances, it was the right and duty of a Judge to introduce political matter into a charge. What, then, were they about to do? Were they to establish a censorship of Judges' charges? Were Judges' charges to be licensed by them, to have the sanction of their *imprimatur?* Were they about to lay down the precise *formulæ* to which Judges must adhere, to establish the rules by which the discretion, the good taste, of the Judges must be regulated? Was it on the topics or on the terms of judicial charges, on which their lectures were to be delivered? And were they to be the parties who were to proscribe political matter in judicial charges; they, who printed, at the public expense, the political charge of Baron Smith to the Grand Jury of the Queen's County, who referred to it in terms of high commendation, who found the Reports of the Committees curtailed, because they were enabled to embody in them the able charges of the Chief Justice and Baron Smith—they who learnt, with satisfaction, that those charges were not, perhaps, directly by the Government, but by Magistrates acting in concurrence with the Government, printed and placarded throughout the country, as useful warnings to the deluded people — with what decency could they institute or countenance an accusation against Baron Smith for having delivered another political charge, not differing in substance or in terms from that which they sanctioned and circulated? The duty of the Committee, if unfortunately it were appointed, would be, of all others, the most difficult. It would have to examine every sentence contained in the Judge's charge, to attempt to make some discrimination between its different parts—to select those deserving of censure, and those deserving of approbation; and when the House should be in possession of the Report of the Committee, in what manner were they to proceed? If the charges were fully proved, would they be a ground sufficient to authorize them to address the Crown for the removal of the Judge? If they had not ground to address the Crown for his removal, was it fitting that they should attach a label of partial infamy round the neck of this high officer of justice, and then send him to administer the law to others? Was there, in truth, any alternative between petitioning for his removal, and leaving his conduct exempt from imputation? If there were no charge against him of partiality, corruption, or ignorance of the law, or serious neglect of duty—if they felt in their heart and conscience, that he must still continue in the administration of his trust—was it not for the public interest that he should stand erect, not only in the consciousness of innocence, but in the possession of the public esteem and respect? To appoint a Committee was evading the law, which required an Address from both Houses of Parliament to authorize the removal of a Judge; because, if that Judge were a man of honour, and if the House implied the slightest censure against him, his own sense of propriety would tell him that he could no longer remain effective as a Judge. Again, was it wise, on light ground, to unsheath the powerful weapon of impeachment intrusted to their keeping? Were they not blunting its edge by drawing it on trifling and frivolous occasions? Of whom did he ask these questions?—Of those who encouraged Baron Smith to deliver this very charge, by having expressly sanctioned and circulated a former one. Let them read the present charge, and compare it with that printed at the public expense, and with the approbation of the House, and they would not find one expression in the latter that was not as open to censure as the expressions of the charge now complained of. If they disliked quotations, they would find them in plenty; if they disliked irrelevant matter, it was plentiful; if they disliked political matter, the first charge contained nothing else. He had no anxiety in regard to Baron Smith. Let the House take what course it would, he was secure, because he was innocent; and they would but rally round him the esteem and sympathy of all good men. The right hon. Gentleman opposite said, that he expected some expression of regret on the part of the Judge. Baron Smith had no expression of regret to tender. He had such confidence in the conscious innocence of Baron Smith—such confidence in his high spirit—that he felt assured Baron Smith would never seek to avert this charge—he would never demean himself by anything in the shape of an apology. He was far advanced in years; the infirmities of age, increased by those very labours now cited against him in proof of his neglect of duty, might have abated the ardent spirit with which he would once have confronted his accusers, and courted the conflict to which he was summoned—

Lenit albescens animos capillus
Litium et rixæ cupidos protervæ.

With equal truth, he might exclaim—

Non ego hoc ferrem callidus juventâ,
Consule Planco.

And though the fire of youth might be somewhat damped by years and infirmity, yet, when he felt that in his person was to be fought the battle for the independence of the judicial office, he would be inspired with new energies. Conscious that these accusations were frivolous and unjust—conscious that no public inconvenience, no injustice, had arisen from his devotion to his duty, even at unseasonable hours—conscious, too, that he delivered these political charges, partly from the conviction that he was supporting the cause of order, and advancing the purposes of good Government—partly because he was sanctioned and encouraged by the approbation of Ministers — partly from an honest, a pardonable pride, that the official documents of that House were graced by the adoption and publication of his judicial labours—conscious of his own rectitude, whatever fate might impend over him—he would meet it without submitting to the voluntary humiliation of an apology. If in other times—if in the unreformed Parliament—if under a Tory Government—if, after Judge Fletcher had delivered his political charge in the county of Wexford—if he, as Secretary for Ireland, had brought forward such an accusation as this—if he had proposed to drag the learned Judge from the Bench before a Select Committee of that House—what a scene would have been witnessed! Let them tax their imagination so far as this—let them fancy that this was the year 1814—that he stood, as Secretary for Ireland, in his place as a Minister, and that, with Judge Fletcher's charge in his hand, after reading certain passages displeasing to his taste, he had proposed a Select Committee before which the Judge should appear to answer for his errors of judgment, and account for the breach of judicial decorum; then fancy the present Lord Chancellor—fancy Mr. Brougham rising from the place in which he now stood—fancy, if they could, the indignant terms in which Mr. Brougham would have chastised the arrogant and contemptible folly of that Minister who should have dared to assail the independence of a Judge, by proposing, on such a frivolous charge, to subject him, for a judicial act, to the degrading investigation of a Select Committee! There was a feeling abroad—a feeling that was every day becoming more prevalent—that those who declaim most loudly about their love of liberty, and speak in the most exaggerated terms of their hatred to oppression, employ those *speciosa nomina* as the mere instruments by which they may secure their own aggrandisement—that such words are but the ladders of young ambition, to be thrown down when the object to which it aspires is reached. Three days only had elapsed, since a proposition was made within those walls—to a willing audience—for the purpose of establishing, as it was called, the liberty of the Press. It was proposed that the law of written libel should be placed on the same ground with that of oral scandal—that *ex-officio* informations should be abolished—that truth, in public matters, should no longer constitute a libel. That proposal was accompanied by touching lamentations—that there was now no alternative for a public writer, but to flatter his Majesty's Government, and all those in authority; inasmuch as censure might wound their feelings, and, according to the rigid construction of the law, might constitute a libel. Apply those principles to Judges' charges. Was there to be no liberty of speech for the Judge? Was he to have no option, but that of flattering the Government? Were they, who permitted that Bill to be introduced, to permit the Judge to be placed on his trial without proof of authorship—without evidence of guilty intention—without the allegation that he had said what was untrue? How could they profess to respect liberty of speech, or liberty of discussion, if they instituted that which was ten times more vexatious and oppressive than any *ex-officio* prosecution, on the mere *ex-parte* statement of an individual, himself a party in the case. Ought they, on the mere allegation of an individual Member of the House—in the absence of even a petition charging injustice—in the absence of any complaint, either from the accused who were put on their trials, or on the part of Counsel, ought they to summon from Ireland a Judge of the land, far advanced in years—interrupting the performance of his judicial duties, in order—not that he might answer a specific charge, but that the learned Gentleman (his sole accuser) might bait him before a Select Committee, and try to find, by a roving inquisition into his whole judicial career, the matter for a formal charge? And would they, after they had done that, profess a desire to establish the liberty of speech, and to protect the rights of free discussion? One argument which the right hon. Gentleman, the Secretary for the Colonies, brought to bear against Baron Smith, he could not pass over without notice. He said that Baron Smith might have been at liberty to introduce political matters into his charge under certain circumstances, but that here there was no case in the calendar connected with treason or insurrectionary violence—that this was not a Special Commission—and that, therefore, he was not warranted in introducing political matters into his charge. This, then, constituted the gravamen of the accusation against Baron Smith. Now, Judge Fletcher went, not on a Special Commission, but on the usual circuit, to the county of Wexford; and he began his charge, extending over twenty-four pages, in which he discussed every topic connected with the domestic policy of Ireland, in these words,—'Gentlemen of the Grand Jury—'It is with sincere pleasure I congratulate 'you upon the appearance of the state 'of your county;—I say appearance—'because I have no means whatever of 'knowing anything upon the subject, 'except from the calendar now before me. 'In that calendar I find very few numbers indeed—two, or three, or four 'crimes, of general occurrence in the 'country; one homicide, which appears 'to have been committed, certainly with 'circumstances of atrocity; but, as far as 'I can collect from the examinations, 'originating in private malice and individual revenge, and not connected with 'any of those disturbances, of which we 'have heard so much, in different parts 'of the kingdom.' Thus, then, it appeared, that Judge Fletcher—not sent on a Special Commission—seeing no crimes in the calendar connected, in the remotest degree, with political disturbances—delivered that charge to the Grand Jury, which was full of political matter—which commented with the utmost freedom on the acts of the Government and of Parliament, and which was praised in this House by the party then in opposition, but now in Government, as a model for judicial charges. If, then, it had been the practice and habit of the Judges of Ireland to deliver political charges—if they had felt it their duty to adhere to the advice of Lord Bacon, to warn the people against the consequences of agitation—if the late Chief Justice Downes—if the present Chief Justice Bushe—if Judge Day—if Judge Fletcher—had all felt themselves called upon, by a sense of duty, to deliver charges that involved political matter—he implored hon. Gentlemen, before they took such a fatal step, to consider—not whether this charge of Baron Smith's met their approbation, but whether there was any pretence to apply to the House of Lords for their concurrence (and it was indispensable), in an Address to the Crown for the removal of Baron Smith? Let those who most disapproved of political charges—who most condemned particular passages in the charge of Baron Smith—weigh against this error of judgment, (if it be an error) the whole tenor of his judicial career—the high attainments—the integrity—the impartiality, which were all admitted by his accusers. The hon. and learned Gentleman—the chief accuser in this case—had, himself, compared Baron Smith to a diamond of the brightest lustre. But, remember, that in diamonds, the purer the water, the more visible are the slightest specks and flaws—and that so it was with the little indiscretions of those whose character was the most unsullied. On all these grounds—considering that there was no specific charge against the Judge; that the charge, vague and general, as it was, if fully established, could not justify his removal from the Bench; that partial censure, however qualified, must lower and degrade him in the public estimation;—that there was no precedent for the proposed proceeding—that the precedent, if now established, would be full of future evil;—on all these grounds, let the House have the manliness and courage to revoke a decision, hastily and inconsiderately formed—let them refuse to persevere, from the suggestions of false pride and false shame, in a manifest error—and to embitter the few remaining days of a venerable Judge, by listening to a frivolous, a ridiculous, and unfounded accusation.

Lord *Althorp* agreed with the right hon. Baronet, that if, on mature consideration, it should appear that it was not right to persevere in the course already adopted, the House was at full liberty to retrace its steps; but he must, at the same time, say, that it was decided by the House of Commons, on a former evening, that the conduct of this Judge ought to be inquired into, and that decision ought not to be changed without deliberation. With regard to the first accusation, he admitted, that the neglect of duty attributed to Baron Smith in coming into Court late, and sitting late, had been lessened, if not explained away, by the explanation of the hon. and learned member for the University of Dublin. But he thought that the statements which had been made, and allowed to remain uncontradicted, showed that it was not at Armagh, alone that Baron Smith had been in the habit of entering and leaving Court at late hours; and this circumstance, and that, mentioned at Castlepollard, would indicate that Baron Smith had conducted himself on a system which might be characterized as improper. He had heard, that in the case at Castlepollard, the Counsel protested against the trial being continued. The right hon. Baronet alluding to what had been stated by his right hon. friend, to the effect that this question might have been changed in character if any person had been authorized by Baron Smith to make any communication to the House, spoke as if he thought it would be inconsistent with the character of that Judge for him to have so acted. He thought differently; the House having voted an inquiry into certain parts of his conduct, and certain political charges delivered by him, it would have been becoming in that learned Judge to have taken such a step, and have authorized some one to speak for him. It had been said, that the learned Judge was encouraged by his previous charges having been printed by this House, and by the example of former Judges. The right hon. Gentleman had dwelt on this argument; but there was a distinction between a Judge trying political offences, either on a Special Commission or on the ordinary circuit, who might indulge in remarks on political matters, and a Judge who, without any reason whatsoever, uttered a political charge. It might be said that the offence was not one of grave import, and that, in the case of Judge Fletcher, no course such as this was adopted, nor was the question even mooted in the House. If it had been, the expression of opinion would probably have been nearly the same in that case as in this. The right hon. Gentleman had spoken of Judge Holt's case, and would have the House believe that it had no right to interfere; but, if a Judge made a charge which was improper, was he not answerable to Parliament, if called before them? If he were not, the result was simply, that a Judge might make any charge he pleased. The right hon. Gentleman said, that there was no alternative between dismissal and the House taking no notice of this matter. Would it not, then, be a great evil if a Judge were allowed to make any charge, or conduct himself in any manner that he pleased, short of taking a course which would justify an Address for his removal, and yet be liable to no censure? The charge brought was made upon the responsibility of the hon. Member; and if it should, on inquiry, be found frivolous, the Committee should express a strong opinion on that point. But to say, that no inquiry should take place before a Committee, except in such cases as those in which the charges, if established would justify impeachment, was to lay down a rule which could not fail to be most detrimental. The right hon. Gentleman seemed to think that the principles of the law of libel ought to be applied to Judges' charges. The principles of that law ought to be to give as much liberty as possible to political discussion; but, surely, the charge of a Judge ought to be confined within much narrower bounds. He did not, therefore, see any reason for the House to alter its recorded decision on this matter. The statements brought forward were almost precisely the same as were advanced on the former occasion. If the learned Judge had authorized any Member to state that he would not continue to pursue the course which had been complained of, he (Lord Althorp) might not have been disposed to press for the inquiry; but since it appeared, though Mr. Baron Smith had communicated with some hon. Members, he had not authorized them to hold out any hope that he would alter his conduct, he could not consent to the proposal to discharge the order for the appointment of the Committee.

Mr. Halcombe next addressed the House, but the shouts of discordant noises which were kept up without intermission whilst he was speaking, rendered him totally inaudible.

The House divided on the original motion, that the Speaker do leave the chair—Ayes 155; Noes 161:—Majority 6.

The Resolution, that the order for the Select Committee to inquire respecting the conduct of Mr. Baron Smith be rescinded, was put and agreed to, and the Order discharged.

List of the NOES.

Arbuthnot, Hon. G.
Agnew, Sir. A.
Acheson, Viscount
Anson, Hon. G.

Baring, H.
Baring, A.
Bell, M.
Bentinck, Lord G.
Blayney, Hon. C.
Burrell, Sir C.
Bainbridge, E. T.
Baillie, J. E.
Brougham, W.
Bruce, Lord E.
Bruce, C. L. C.
Buller, J. W.
Bankes, W. J.
Bethell, R
Blandford, Marquis of
Browne, J.
Blackstone, W. J.
Barnard, E. G.
Browne, D.
Chandos, Marquis of
Chapman, A.
Curteis, Captain
Clive, Hon. R.
Castlereagh, Viscount
Cole, Viscount
Conolly, Colonel
Corry, Hon. H.
Chaytor, Sir W.
Cavendish, Lord
Denison, W. J.
Denison, E. J.
Dugdale, W. S.
Dare, R. H.
Dykes, F. L. B.
Duffield, T.
Darlington, Earl of
Daly, J.
Evans, G.
Ewing, J.
Eastnor, Viscount
Egerton, W. G.
Estcourt, T. G. B.
Ferguson, Sir R.
Ferguson, Captain
Fremantle, Sir T. F.
Finch, G.
Forester, Hon. C.
Forster, C.
Fielden, W.
Fitzroy, Lord C.
Frankland, Sir R.
Fancourt, Major
Goulburn, Rt. Hon. H.
Grimston, Viscount
Greene, T.
Gladstone, T.
Glynne, Sir S.
Graham, Rt. Hon. Sir J.
Gladstone, W. E.
Hodgson, John
Hanmer, Colonel
Hanmer, Sir John
Hope, H. T.
Herbert, Hon. S.
Hotham, Lord
Handley, Henry
Hardy, J.
Halford, H.
Harcourt, G. V.
Hughes, W. Hughes
Houldsworth, T.
Handley, W. F.
Hardinge, Right Hon. Sir H.
Hayes, Sir E.
Herries, Rt. Hon. J. C.
Howard, Hon. Capt.
Halcombe, John
Johnston, Andrew
Jermyn, Earl
Irton, Samuel
Inglis, Sir R. H.
Jones, T.
Kerrison, Sir Edward
Kerry, Earl of
King, B.
Knox, Hon. Colonel
Lyall, G.
Lloyd, T. H.
Lygon. Hon. Colonel
Lennox, Lord A.
Lincoln, Earl of
Maxwell, Henry
Marryatt, J.
Macnamara, F.
Manners, Lord R.
Miles, W.
Morpeth, Viscount
Norreys, Lord
Nicholl, John
Neeld, Joseph
Neele, Sir H. B.
Ossulston, Lord
Ormelie, Earl of
Palmer, C. Fysche
Palmer, Robert
Pinney, William
Pigot, R.
Pollock, Frederick
Pease, Joseph
Parker, Sir Hyde
Plumptre, J. P.
Philips, Sir G.
Peel, Rt. Hon. Sir R.
Russell, Charles
Ryle, John
Robinson, G. R.
Ross, Charles
Ridley, Sir M.
Rumbold, C. E.
Reid, Sir J. R.
Rice, Hon. T. S.
Rickford, William
Scott, Sir E. D.
Sandon, Viscount
Sanderson, R.
Stewart, John
Scarlett, Sir James
Stewart, P. M.
Stanley, Edward
Staunton, Sir G.
Skipwith, Sir G.
Somerset, Lord G.
Spankie, Serjeant
Tyrrell, Sir John T.
Tyrrell, Charles
Tennent, J. E.
Talbot, H. Fox
Trevor, Hon. G. R.
Townshend, Lord C.
Talbot, James
Tullamore, Lord
Vernon, Granville H.
Vernon, Hon. G. J. V.
Vyvyan, Sir R. R.
Verney, Sir H.
Villiers, Viscount
Verner, Colonel
Williams, T. P.
Willoughby, Sir H.
Waterpark, Lord
Whitmore, T. C.
Wall, C. B.
Wood, G. W.
Young, G. F.
Young, J.
Yorke, Captain

TELLERS.

Knatchbull, Sir E.
Shaw, Frederick

PAIRED OFF.

Attwood, M.
Cartwright, W. R.
Duncombe, Hon. W.
Foley, Edward
Grant, Hon. F.
Gordon, Hon. Captain
Henniker, Lord
Humphery, John
Joliffe, Colonel
Lennox, Lord W.
Lewis, Rt. Hon. T. F.
Miller, W. H.
Newark, Viscount
North, F.
Peel, Lieut-Colonel
Sharpe, General
Sinclair, G.
Wood, Colonel
Wrottesley, Sir John

HOUSE OF LORDS,

Tuesday, February 25, 1834.

Minutes.] Bill. Read a third time: — Turnpikes Act Continuation.

Petitions presented. By Lord Kenyon, from the Methodists of Ruthin and Denbigh, for the Better Observance of the Sabbath; from Whitchurch, for Protection to the Church. —By Lord Dacre, from the Protestant Dissenters of London and Westminster, and of Royston, for Relief.—By the Marquess of Lansdown, from Dissenters of Warminster; and by the Earl of Sefton, from the Dissenters of Toxteth Park, Liverpool, with the same Prayer.

County Rates.] The Duke of *Richmond* wished to say a few words upon the subject of County Rates, previously to submitting to their Lordships the Motion of which he had given notice. He believed that most of their Lordships must be aware, that, within the last few years, the County Rates throughout England had increased, and that this increase was owing, not only to certain burthens imposed by different Acts of Parliament, but to other circumstances, into which it was not now necessary for him to enter. The Ministers, for some time past, had been turning their attention to this subject of local taxation. The increase of the amount of that taxation was indisputable. It was their object to ascertain how it could be diminished. He was of opinion, that a Committee of their Lordships' House ought to inquire into the particulars and details of this local taxation, and to make a Report to their Lordships upon it might be of great advantage in leading to its reduction. He meant, therefore, to move for the appointment of such a Committee. In what he was about to say, he had no intention to attack any county in particular, or any set of gentlemen in any county. He should merely mention one or two instances, to show that the sum thus levied was large, and that it had increased of late years. From the returns before Parliament relating to the County Rates of the county of Middlesex, it appeared that in the year 1822 these rates amounted to 30,833*l.*; while, in the year 1832, they had increased to 77,772*l.* He had no complaint to make on this subject; but it appeared to him that when these large sums were taken from the county, some inquiry ought to be instituted to ascertain if they could not be reduced. It ought to be remembered, too, that during this time the debt of the county had gone on increasing, and now amounted to 244,985*l.* In the same manner the County Rates of the county of Essex had increased by the amount of 4,000*l.* or 5,000*l.* a-year, and a similar increase had taken place in the county of Nottingham. Under these circumstances, without making any further observations, he should move (and he had no doubt their Lordships would accede to his Motion) "that a Select Committee be appointed to inquire into every charge upon the County Rates in the different counties of England and Wales."

Lord *Wynford* thought that the thanks of their Lordships were due to the noble Duke for the Motion he had just brought forward. With respect to the county of Middlesex—and he believed it was much the same with other counties, it was to be observed, that the increase in the amount of their rates was not entirely owing to themselves. Some portion of it had been occasioned by Acts of Parliament, many of which had recently thrown upon the county rates burthens which, in his opinion, they ought not to be called upon to bear. The consequence was, that as the land bore these burthens, and as some of them were unequally distributed, there was an unfair degree of pressure upon the landed interest, which was now acknowledged to be the most distressed in the country. The noble Duke's Motion should have his cordial support; and he was sure that no noble Lord would go into that Committee with any other feelings than an earnest desire to remedy those evils of which it was the object of the present Motion to ascertain the extent.

Motion agreed to, and Committee appointed.

HOUSE OF COMMONS,

Tuesday, February 25, 1834.

MINUTES.] New Writs issued. For Malton, in the room of Mr. PEPYS, become his Majesty's Solicitor General.

Bills. Read a first time:—Libel Law Amendment.—Read a third time:—Transfer of Aids; Exchequer Bills.

Petitions presented. By Mr. SHEIL, Mr. W. ROCHE, and Mr. FINN, from several Places in Ireland, for the Repeal of the Union.—By Mr. MILES, from White Stanton and Chaffcombe, against any Measure weakening the Established Church.—By Mr. FEARGUS O'CONNOR, from Fishermen of Four Mile Water and Gearies, complaining of Distress.—By Mr. FEARGUS O'CONNOR, Mr. W. ROCHE, Mr. FINN, and Colonel BUTLER, from a great Number of Parishes in Ireland, for the Abolition of Tithes.—By Mr. EMERSON TENNENT, from Carrickfergus, against the Carrickfergus Disfranchisement Bill.——By Mr. DIVETT, from Dissenters of East Budleigh, for Redress.—By Major KEPPEL, from Reymenstrone, and other Places, for the Repeal of the Duty on Malt and Hops.—By Sir HENRY PARNELL, from Dundee, for the Abolition of Lay Patronage (Scotland).—By Mr. TENNYSON, from St. Mary's, Lambeth, for the Repeal of the House and Window Tax.—By Mr. BENETT, from Dissenters of Warminster, for Redress.

REPEAL OF THE UNION (IRELAND.)] Mr. *Sheil* presented a petition, very numerously signed, indeed by some thousands of the inhabitants of the town of Thurles, in the county of Tipperary, praying for the total abolition of tithes and the Repeal of the Union. The hon. Member said, that the petition stated that the majority of the Members of that House were ignorant of the interests of Ireland. It also stated, that the Repeal of the Union was as much required by Ireland as the Reform Bill was by England, and that the majority of the English Members were as indifferent to the interests of Ireland as the Members of the boroughs formerly were to the interests of their constituents.

The *Speaker* said, the hon. Member must be aware, that he could not present a petition so worded.

Mr. *Sheil* said, the petition merely stated that the English Members were not acquainted with the interests of Ireland.

The *Speaker* said, that it appeared the wording of the petition was, that the majority of English Members were indifferent to the interests of Ireland [*Cries of " Read, read!"*]

Mr. *Sheil* said, as his object was not to delay the time of the House by any discussion, he would read the petition. The hon. Member proceeded to read the petition at length. The petitioners complained of the grievances inflicted by the tithe system, that it had brought odium upon the Church

Establishment in Ireland, and that the Tithe Bill of last Session was likely to increase that odium, and bring about some frightful crisis. That, without the total abolition of tithes, all hope of peace or prosperity for Ireland was in vain. The petitioners contended, that from the various and important duties the English Members had to discharge relative to the local concerns and the colonies of that country, they could not find time, even if they were acquainted with its local wants, to attend to the interests of Ireland. They, therefore, prayed for a repeal of the Legislative Union. The hon. Member said, that, perhaps, he had expressed himself in stronger language than he was warranted by the wording of the petition. He moved that the petition be brought up.

Mr. *Finch* said, that it was a bold assertion to say, that the affairs of Ireland were neglected, whilst there were one hundred Irish Members in that House. Those hon. Gentlemen must want either the power or the will to attend to the affairs of that country. He did not believe, that the accusation was well founded, for nothing could be more inconsistent than to say, that hon. Gentlemen of such talent wanted power; and it would be as uncharitable to suppose, that they wanted will. When the House considered that there were reports from Ireland upon agriculture, manufactures, population, the criminal jurisprudence, and when there were two debates a week upon Irish affairs, that one-half of the English Members had visited that country, and that they had one hundred Irish Members to give them all the information they could require—it was rather a bold assertion to say, that they were utterly unacquainted with Irish interests; and he was bound to say, in justice to the hon. Members for Ireland, as well as the other Members of the House, that, in his opinion, the charge was without the slightest foundation.

Mr. *O'Connell* observed, that there was a great deal of truth in what the hon. Gentleman had just stated; but that it happened to be totally irrelevant, to the case at issue. The hon. Gentleman made a statement, in the course of his brief observations, which fully bore out the allegation of the petitioners respecting the ignorance of Irish affairs generally prevalent in the British House of Commons. He had stated, that there were one hundred Irish Members, and that they were all awake and watching over the interests of their country. Now, if the hon. Gentleman had known as much of Ireland as he had given credit to the House for knowing, he might be aware that this hundred was not entirely composed of representatives of Irish feelings—Irish wants—or Irish wishes. Many of them, very respectable Gentlemen, no doubt, in private life, were the representatives of the contrary. They were the representatives of the system of oppression which had ground Ireland to the dust; they were the representatives of that misrule which had cursed that beautiful, but unfortunate country; they were the representatives of the bitterest polemical spirit which ever actuated human beings, the representatives of individual feelings, individual wants, individual interests—the representatives of any and everything but Ireland. The hon. Gentleman ought, therefore, to have known, that though some of the eyes of Argus were not and would not be closed, while they were permitted to open on the light, others were shut most effectually to all which could benefit that unhappy country. What information, he would ask, could Government give them that they were not already in possession of? Why, the Irish Members were there day after day to listen to their Coercion Bills and other arbitrary measures. The right hon. Gentleman, the Secretary for Ireland, could not instruct them about the state of Ireland. The very observations of the hon. Gentleman suggested the ignorance of the House on Irish affairs. He did not mean to say, that English Gentlemen were not desirous of serving Ireland; he believed many of them were; but what could they do when they were totally ignorant of anything relative to that country; unless, indeed, such information as they received from the poisoned and corrupt sources which the press of this country supplied? But the English Gentlemen would require, at least, 100 schoolmasters to teach them, before they could understand legislating for Ireland. The people of Ireland, therefore, felt they had no resource but in a Repeal of the Legislative Union. They felt that the claim for the Repeal was a just one, and they were determined to persevere in their demands. The Union had been carried by every species of the most profligate bribery and corruption. The blood of mothers and of infants had been shed in order to accomplish this abominable measure. In fact, there was not in the records of Spanish brutality towards South America, anything half so brutal as the treatment Ireland had received at the hands of those who were the instruments in carrying that iniquitous measure.

Mr. *Finn* said, that he and other Irish Members were most anxious to give every possible information to the English and Scotch Members on the subject of the Union and its effects upon Ireland. As an instance of the system of legislation adopted by this country towards Ireland, he begged to advert to an observation made the other evening, when an hon. Member said, that if there was not one Protestant in Ireland, still the Protestant Church ought to be kept up in Ireland. Surely, this was a strange jumble to legislate upon, and yet, absurd as it was, it appeared to be acted upon, in a very great measure, by the Parliament of this country whenever Ireland was concerned. To show the manner in which the Protestant Church was supported in a country the great portion of the population of which were Protestants, he begged to read a statement to the House. The hon. Member accordingly read the following table, exhibiting the state of population in fourteen parishes in the county of Kilkenny, indiscriminately taken, showing the total number of inhabitants and Protestants in each parish in the period of a century, namely, from 1731 to 1831, and demonstrating the progress the State religion had made in the last 100 years; together with some brief notes that would explain what would be generally found, in Ireland, the state of residence of the beneficed clergy;—

	Population in 1731.		Population in 1831.	
Parishes.	Total Inhabitants.	Total Protestants.	Total Inhabitants.	Total Protestants.
Killcoan (a.)	83	none	No Return in 1831	none
Ballygurram (b)	214	none	693	none
Killbride (c)	75	none	937	none
Killmackavogue (d)	250	23	1,027	1
Killcollum (e)	300	49	2,139	none
Rathpatrick (f)	490	67	1,627	none
Killculliheen (g)	422	92	1,353	6families or 24 souls
Rathkyran (h)	445	34	1,511	none
Aglishmartin (i)	148	none	1,485	none
Portnescully (j)	630	23	no return	none
Poleroan (k)	697	38	1,246	1
Tubrid (l)	71	46	1,103	none
Ballytarsna (m)	201	32	no return	none
Clonmore (n)	227	27	1,147	3
	4,253	391	14,968	29

(a) It is situated in the barony of Ida. This and Killbride held by one incumbent, who resides in another diocese.

(b) Tithes 165*l*., of which 110*l*. is payable to the Corporation of Waterford, and the remainder to the Vicar, who is not resident, having five other parishes in the diocese.

(c) Incumbent not resident.

(d) Incumbent not resident, same as Ballygorum, being one of the six parishes that form the union of Rosbercon.

(e) Tithes 480*l*., of which 320*l*. is payble to Sir E. Leighton the impropriator, the remainder to the Vicar, who is non-resident, having two other parishes in the diocese.

(f) Incumbent not resident, being one of the six parishes that form the living of Rosbercon.

(g) Incumbent, or Curate, not resident: the former has also another parish in this diocese, and two in that of Ferns, where he resides. The Curate is allowed for the cure of the twenty-four souls 50*l*. per annum.

(h) Incumbent not resident.

(i) Incumbent not resident; lives on a preferment in the West of Ireland (Dunmore.)

(j) Incumbent not resident. This parish is in the barony of Iverk, on the Suir, and one of the three parishes that form the union of Poleroan.

(k) Incumbent resides, keeps no Curate, and has two other parishes in the diocese.

(l) Incumbent not resident, has four other parises in the diocese.

(m) This parish is half a mile in length, by the same in breadth. Incumbent not resident.

(n) The incumbent resides in his glebe-house, which was built for him by the Board of First Fruits.

Here were fourteen parishes, indiscriminately taken, in eleven of which there were, according to the recent census, 14,268 inhabitants (the other three parishes not enumerated, or appearing in the population abstract). In ten of the fourteen parishes there is not a single Protestant, and in the other four there are but thirty-two Protestant souls. Could such a monstrous state of things be continued, and a gorgeous establishment retained and kept up to provide for men, who, for the greater part, have no duties to perform, and are, consequently, absent from the places from which their income is drawn? It was a stain upon England, and on civilized man, to draw from a people one-10th of their scanty subsistence, with a peasantry half-sheltered, half-clothed, whom want, neglect, and suffering, have made reckless; who, without employment, food, or sympathy, linger out life in idleness or mendicancy, or sacrifice it in crime or despair. This would give the House an idea of the blessing which the Protestant Church and the collection of tithes conferred upon Ireland; and, surely, Ireland ought to bless the Protestant Church and this House for upholding that Church in all its splendour in so wretched, so impoverished a country. He must also complain that, owing to the compulsory Tithe Composition Bill, a great increase had taken place in the amount of tithes originally collected. In one case, a gentleman residing in the county of Kilkenny, who, heretofore, only paid 15*l.* tithe, and who was most punctual in his payments, had his tithes raised to 53*l.* His hon. friend (Colonel Butler) had a petition to present from this gentleman, complaining of this increase of the assessment. Here was an instance of the impolitic operation of this Bill, which had the effect of burthening those on whom the Government could heretofore rely—and for what object? Why, to perpetuate the injustice of supporting, in an extravagant manner, a Church unconnected with the great mass of the people; and, as far as had yet been learnt, there did not appear to be the least intention to do away with this burthen and lighten it in the smallest degree. Did they think that this cunning injustice would be borne tamely? If they did, they were much mistaken.

Mr. *Littleton* complained of hon. Gentlemen for ever dragging in the subject of the Church upon petitions totally foreign to that question. Here was a petition upon the Repeal of the Union. [Mr. *Finn* And also praying for an abolition of tithes.] He was aware that the tithe question was mixed up with the Repeal of the Union, for it seemed to be the principle upon which those who got up Repeal Meetings, acted, to also mix up that very popular subject with it—the tithe question; fearing, no doubt, that the Repeal of the Union would not be attractive enough to command an attendance at meetings, to be called for that purpose alone. But still he must complain of hon. Gentlemen for ever lugging in the subject of tithes, no matter whether the question was or was not before the House; and he particularly complained of the hon. Gentleman who last addressed the House, making the statement he did, when he at the same time stated, that a petition was to be presented on the subject of the increase of tithes, upon which occasion an opportunity would have been afforded to the hon. Gentleman to make the statement which he had just made. He would not now enter into the subject adverted to by the hon. Member; but he would just observe that the cases stated by the hon. Gentleman were those of ecclesiastical unions—they were not substantial parishes—if they were, they would be nothing more nor less than sinecures; but they were not; and this he would prove upon another occasion. The hon. Gentleman said, that the Compulsory Tithe Bill had increased tithes in Ireland, but he had not stated the reason for this increase. When he brought forward the second reading of his Bill relative to the abolition of tithes in Ireland, he was sure that he should be able to satisfy the House that there were good and sufficient grounds for the increase in the amount of composition adverted to by the hon. Gentleman.

Mr. *Feargus O'Connor* contended, that there were good reasons for mixing up the question of tithes with that of Repeal of the Union; for they were both grievances which the people complained of, and they were determined, whilst petitioning to be relieved from one, to be, also, relieved from the other. The complaint against Irish Members last year was that they did not go into the details of the question; but it was now especially their duty to go into the details after the introduction of the extraordinary and iniquitous measure of the right hon. Secretary —because, when the Bill was brought before the House the right hon. Secretary for Ireland, and the right hon. Secretary for the Colonies, would run away into declamation, and no opportunity would be allowed of fully and fairly discussing the details. Why, the right hon. Secretary himself had said that he found it necessary to go into the subject at very great length, because the House was in a state of ignorance respecting it. He begged that right hon. Gentleman not to lend his immaculate private character to so nefarious a measure. He had a great respect for that right hon. Gentleman; but it was not by the graces of the drawing-room, or the amiabilities of the nursery, a man was to be qualified for the duties of a Secretary of State for Ireland, in the present distracted condition of that long misgoverned country. He begged the right hon. Gentleman not to be persuaded that his Bill would give satisfaction in Ireland. If the right hon. Gentleman would introduce a measure founded upon the 147th Clause of the Church Temporalities Act of last Session, which Clause was abandoned in the progress of the Bill, he would be indeed the pacifying Secretary. It was vain to say that the Catholics were the agitators of the tithe question; for, since 1824, when the grass lands were subjected to tithes, under the Commutation Act, the Protestant Gentlemen had taken pride in the agitation; and now the Duke of Devonshire was one of the defaulters.

Mr. *Cutlar Fergusson* said, that though he did not mean to commit himself to any part of the Bill to be brought in by the right hon. Secretary for Ireland, he would say, that in his opinion, the most convenient form of collecting tithe funds was not by a composition, but by a land-tax—that principle he would most strenuously support. It had been said by the honourable and learned member for Dublin, that nearly all the English Members, and part of the Scotch, were ignorant upon Irish affairs. Now he would say for the whole of the Members of that House not Irish, that no subjects whatever received more attention, or took up more of the time of the House, than those connected with Ireland. Although Members might differ in opinion with the hon. and learned Gentleman, that was no good ground for saying that therefore they were inattentive to Irish affairs—it was quite possible to obtain in Ireland information of a very different nature from that which that hon. Gentleman gave them. He remembered an instance in that point took place upon the Coercion Bill. The Member for a county, in very flowing language, stated that it was in a state of the greatest tranquillity—while the Lord lieutenant of the same county, who was resident upon the spot, stated it to be very much disturbed, and in a state of almost complete anarchy. He might charge upon the Irish Members, that they were ignorant of Scotch affairs, and unfit to legislate upon them; but as he knew their persevering nature, he would not; then why should the other Members be so often told that they were both ignorant of, and inattentive to, those affairs they were called to legislate upon? The House, in his opinion, had in general shown great attention to, and a complete knowledge of, the state of Ireland.

Mr. *John Browne* considered the proposition of the hon. and learned member for Dublin, on a former night, a most improper one. To take two-thirds of the tithes away would be something like a national robbery; for those two-thirds belonged to the poor of Ireland. He approved of the principle of the proposed Tithe Bill, as he thought the collecting it as a Land-tax would put an end to such horrible scenes as had lately been transacted in Ireland.

Petition laid on the Table.

DUBLIN CORPORATION.] Mr. *O'Connell* rose, pursuant to the notice he had given, to move for leave to bring in a Bill for the better regulating the Corporation of the city of Dublin. He had obtained leave the last Session of Parliament, and had prepared the Bill; but apprehending that his own local knowledge was not sufficient in some of its details, he had submitted the Bill to his constituents, both in public meetings which were held for the purpose, as well as having published it in the newspapers. He knew that this Bill would give entire satisfaction to the great majority of the inhabitants of the city of Dublin, and the reform in the Corporation would, in their opinion, be a practical measure of the utmost utility. Therefore, at present, the Bill came before the House fortified with the circumstances;—first that he had got leave before to bring it in; and next, that the object of it was one which his constituents entirely approved of, and anxiously desired to see realised. He ought, therefore, not to apprehend opposition to the measure, and he believed none was intended on the part of the active, able, and learned Gentleman whom he had succeeded in the representation of the city of Dublin. He had, therefore, every reason to suppose he should not have any difficulty in prevailing upon the House to grant the leave he sought for. His only apprehension upon the subject was of a personal nature, for the discussions lately, on many measures proposed, had turned, not on the merits of the subject, but on the merits of its advocate. He therefore felt it his duty to apologise to the House, though it was naturally his duty, as one of the representatives for Dublin, to bring in any measure which might be considered as useful to the city of Dublin. However useful it might be, if there were any opposition to it, by the Government he could not flatter himself for an instant with success. It was for him to show that leave ought to be granted, and for its opponents to find out pretences and excuses for interrupting the course of right and justice—pretences and excuses, he should be able to show, which must be of the most flimsy description. Let the House see what enabled him to bring the Bill before the House. They were told something in the King's speech of Corporation abuses. They had heard a great deal about these abuses in the last Session of Parliament, and had been told that the Reform Bill was a valuable and practical measure, because it would enable them to introduce Reform into the Corporations of the British dominions. The Corporations which required that Reform principally, were those of Ireland and Scotland. The case of Scotland was a grievous one, from the form in which the Corporations existed; and yet these Corporations were superior to the Irish Corporations. In Scotland the members of the Corporation were resident in the town, generally of the same feeling with the community; and though there might be some difference in their political sentiments, there was no religious animosity between them and the inhabitants. Scotland was free from some of the worst evils of the close Corporation system. It was not so, however, with Ireland, and the Irish Corporations. There all the evils which affected Scotland existed, with the addition of their being inflamed to the highest degree; at the same time that they were debased by being mixed up with religious dissension, occasioned by the unjust preference of one persuasion over those professing a different creed. Such were the evils peculiarly attaching to the corporate system in Ireland. But of all the Corporations in Ireland, the Corporation of Dublin was the worst, and it suffered under the accumulation of these disadvantages. It was so circumstanced that the evils which in other cases pressed most heavily, were in this case most severely felt. The courts being held there, and the Sheriffs being appointed by a monopolising corporation, and chosen from a favoured religious persuasion, all the evils to which he had referred were mixed up so as to produce the worst possible consequences. Such was the situation of Dublin; such had hitherto been the situation of Scotland; such was now, emphatically, the situation of Dublin. Scotland, however, had obtained a Corporation Reform. A complete Reform, at least as far as was intended by the Reform Bill, had been given to the Scottish boroughs. Edinburgh, which was formerly a close borough, had now a proper constitution. The city was now identified with the Corporation. Why had not Dublin had the same? He should show, that Dublin more required such Reform. It ought to have had it the moment the Reform Bill was passed—as soon as the present Administration came into office. And the Reform, if any, must be an effectual one—a Reform adapted to the peculiar construction of the Corporation, and of the laws under which it at present existed. The Corporation of Dublin (unlike that of Edinburgh) did not depend on charters only. It had ancient charters, to be sure, as well as modern ones, but it did not stand on charters alone. It had been the subject of regulation by Acts ot Parliament—by more than one Act of Parliament. It had been peculiarly the creature of the Legislature—it had been framed by Acts of Parliament, regulated by Acts of Parliament, and altered by Acts of Parliament; and it was, therefore, emphatically the creature of the Legislature. He could not here be met by being told, that the abuses of the corporations of Ireland were remediable by any general propositions from the Committee appointed to inquire into the state of Corporations. No general measure of that Committee could alone remedy those evils. The circumstances attending the Dublin Corporation were exclusive, and must be dealt with, in reference to the Acts of Parliament relating to Dublin. His plan of a Bill, (and if they meant to do an act of justice to Ireland they would sanction it) was, that they should have a specific act in respect to the Corporation of Dublin. There being already two Acts of Parliament which regulated the Corporation of Dublin, the Parliament was the place where the question relative to that Corporation ought to be settled. There was this advantage with respect to the Corporation of Dublin—they were not called upon to create, but simply to alter and amend the existing system. There was in the Corporation of the city of Dublin a Lord Mayor. There was also an upper house, where the twenty-four Aldermen of the city transacted the public business. There was also a commons' house, and the number of Common Council amounted to 141. The Corporation, therefore, had all the necessary forms and features for an efficient Corporation, and it was only necessary that the right of election and the right of representation in the Court of Aldermen should be restored to the citizens of Dublin, to make the Corporation all that it could be wished. He was not asking for a Bill to undermine or destroy the Corporation; all he wished was, to make that a reality which was now only a mockery and a means of oppressing the inhabitants. He wished to call the attention of the House to the state of the case. He knew that as it was a case connected with Ireland, it would not claim that attention which it merited. How often had he been taunted by English Members, who said, "Why don't you bring something practicable forward, and we will support you?" Well, he would now try whether they were in earnest. Whatever hon. Gentlemen might think of other measures which he thought necessary to bring forward, there surely could be no doubt entertained as to the practicability of the present one. It was easy to see, from the attention which hon. Gentlemen were paying to the subject, that it was an Irish question. He would not, however, be either deterred or dispirited by their inattention; he had a duty to perform, and he was determined to go through with it. It was impossible for any man to have a stronger case than he had; but he should soon have an opportunity of seeing, by the decision on the question, the value of a strong case in that House. He had before stated, that the frame of the Corporation of Dublin was popular; the skeleton was perfect; but it required to be filled up. It required a new spirit to be infused into it, in order to restore it to its natural healthy state. There was no such thing as a right to freedom in Dublin—so the Courts of Law had lately decided. It had been alleged, that a right to freedom was acquired in three ways—by birth, servitude, and marriage. The Corporation tried the question in the Court of King's Bench, where it was decided that no such thing existed as a right to the freedom of the city. [The hon. and learned Gentleman being here inaudible by the noise in the House, paused for some moments.] He had paused, that he might not interrupt hon. Members in their conversations. Certainly it was a presumptuous thing of him to call their attention to this subject. There was in the Corporation of Dublin this worst feature of a close borough—self-election. The members of the Corporation could withhold the freedom from whomsoever they pleased, or they could confer it upon whom they pleased. There was no qualification. The lowest of human beings, even the criminal in the dock, was equally eligible with the highest man in the land. There were, therefore, two features in the Corporation of the City of Dublin—exclusiveness and religious intolerance. The Corporation of Dublin was, in its nature, in the first instance, exclusive, for it had the power of having as many members as it thought fit, while it had also the power of having as few as it chose. Ought that to be permitted? Was it not an anomaly in the constitution? What was the consequence of this power of exclusion? It was, that, in a population of above 200,000 there were only 1,900 free of the city; so that that inconsiderable portion of the inhabitants—inconsiderable, whether wealth or character were considered as well as numbers—had the whole power, privileges, and immunities, of the City of Dublin, with its 200,000 or 300,000 inhabitants, entirely in their own hands. They had the election of aldermen, mayor, and sheriffs of the capital of the country, where all the Courts of Justice held their sittings. The other obnoxious feature in the Corporation of the City of Dublin was, its religious exclusiveness, founded upon the worst and basest bigotry. In the year 1792 or 1793, about forty-one years ago, the Legislature enabled the Roman Catholics of Ireland to become freemen of the several Corporations of that kingdom; of course Dublin as the principal city, had the first right to be free. From 1793 to 1834, how many Catholics, he would ask the House, were admitted to the freedom of Dublin? He did not desire to know how many were admitted to the mastership of guilds, or the offices of mayor, aldermen, sheriffs, or other civic dignity, but merely how many were admitted to the simple freedom of the city? The House could not answer, perhaps; but he could. There was not one—not a single one! He earnestly implored the House to see what a feature—a monstrous revolting feature—this was on the double monopoly enjoyed by the Corporation of the City of Dublin. It amounted, in point of fact, to a complete exclusion of the whole Catholic population. It was not because there were not honest, industrious, wealthy men among the consecutive generation of 200,000, which had come on, disappeared, and been again supplied in that City, for the contrary was acknowledged even by the Corporation itself; but it was because they were Catholics, and because the Corporation was actuated by the worst feelings towards that class. The Catholics of Dublin had shown themselves possessed of industry, integrity, loyalty, and all the qualifications which could dignify human nature; but all had been spurned by this Corporation, which for forty-one years had excluded the Catholics from the enjoyment of their municipal rights. In addition to this, they were told, that they could not compel the Corporation to do justice. Would not the House interfere? He entreated them to do so, though, if he had any bad feeling to gratify, he should wish them not to interfere. This was a monopoly even among the Protestants, for, out of the whole number, only 1,900 enjoyed it. They were, likewise, told of the excessive anxiety of this House to do justice to Ireland in practical matters. Here was an opportunity of showing this anxiety, by removing a most odious monopoly. And of what nature was this monopoly? Why, it was the appointment of the sheriffs; and how the monopoly was exercised, in this respect, every Irishman knew. These Sheriffs appointed the Juries, and through them the administration of justice between man and man was most scandalously perverted. Could they be surprised at the peasantry breaking the law, when they who had to administer it made it a mockery? He knew, and the fact was sworn to before the Commissioners of Inquiry, that instances had occurred in which Juries chosen by these Sheriffs had tried the question brought before them, not upon its merits, but by the favour which was felt by a particular class to one of the parties in the suit. In every county in Ireland there was an immense quantity of local taxation. This taxation was disposed of exclusively for the benefit of the Grand Jurors themselves, or, at least, for the benefit of their families and neighbours. The Sheriff had the entire appointment of the Grand Jury, and the Grand Jury had the levying of the local taxation. In 1791, the Grand Jury of the City of Dublin taxed the citizens to the amount of 2,100*l.* But let them see what had happened since that time. The Grand Jury cess of the City of Dublin amounted, in 1827, to 25,246*l.*; 1829, to 27,303*l.*; 1830, to 28,306*l.*; 1831, to 29,663*l.*; 1832, to 32,151*l.* This was the last return that was made, and they would perceive, that this taxation had been progressive, and that the taxation had increased upwards of 1,000*l.* per annum. But who had to pay this amount of taxation? Certainly not the 1,900 freemen, many of whom were not even householders. Thus this narrow Corporation had the power of regulating the taxation of the 300,000 inhabitants of Dublin. Would they allow this state of things to continue? Let them not give the Irish mere words—let them not confine themselves to hopes—for "hope deferred maketh the heart sick;" but let them give, at least, a practical proof of a disposition to confer some benefit on Ireland. During the sixteen years that elapsed previous to Catholic emancipation, there was not a single Catholic admitted upon the Grand Jury. Subsequent to emancipation the case was just the same. The Roman Catholics got no greater share of emancipation from the hands of the Dublin Corporation than if the Act had not passed at all. From 1829 to the present period, there had been 316 persons on the Grand Jury of the City of Dublin. How many Catholics did the House think there were amongst the number? Why, just seven. Why should this be the case? It did not occur from any ineligibility. The principal merchants of Dublin were Catholics; the principal part of the commercial wealth of Dublin was in the hands of Catholics; and he knew some three or four Catholic merchants in Dublin who could buy the Corporation out and out, and who, after paying its debts, and purchasing its assets, would still have a fortune left. During this period, out of the 316 Grand Jurors, there were but 115 persons; for several of them served on the Grand Juries year after year. In the return he found that Alderman Perrin served thirteen times, Alderman Warner fourteen times, Alderman Smith eleven times, and Alderman Abbot nine times. What a system was that! Would they permit it to continue, by refusing him leave to introduce his Bill? The only pretence that could be given was, that the Commissioners of Inquiry had not yet presented their Report; but that was an idle pretence. Let the House look to the time that was likely to be spent before that Report was laid upon the Table. The hon. Gentleman, who was at the head of that Commission, Mr. Sergeant Perrin, than whom there was no better common lawyer, had written to him (Mr. O'Connell) a letter which he had only received that morning, in which he stated that he had accepted retainers for a circuit. That, of course, meant that he would be engaged in every cause. He could not possibly be in that House before April, and it would take a considerable time to consider of and draw up the Report; then how could there be time to pass the Bill through that House, after considering the Report? Another fact was, that the Dublin Corporation had the supply of the water to the whole city of Dublin, which was secured to them by several Acts of Parliament. It was thought that the Legislature, in giving them such a power, would at all events have fixed a maximum of rates. They had done so, certainly, to the houses of the gentry, but upon the manufacturer, the distiller, and the brewer, the Corporation had the power to charge what they liked, and they had charged most handsomely. Government was called on to interfere—they would not. The Court of Chancery was applied to, to allow the remonstrance to lie—it would not. The matter was laid before the House of Lords, and it was ordered to lie there. What was the consequence? Why, the Corporation of Dublin actually levied 45,000*l.* more than they were entitled to levy. The city of Dublin was governed under the operation of two Acts—there was first the Act of Settlement, the 17th and 18th Charles 2nd, c. 22. The Cromwelian adventurers wishing to contract the Corporation completely, passed an Act for the purpose of putting it under their regulation, and empowered the Lord-lieutenant to regulate the Corporation for twelve months. How were the guilds in Dublin represented? The different trades were entitled to a separate representation, yet the shoemakers had three attorneys to represent them, and all the guilds were represented in like manner, by attorneys, attorneys' clerks, and half-pay officers. Were such abuses to be allowed to exist one twelvemonth longer? Was another year to pass over, and the citizens of Dublin be subjected to a body that had the exclusive power of taxing them as they chose? Would that first article of life, water, be still exposed to a high tax, and the people prohibited from enjoying even that luxury with which nature herself supplied them. When he told them of the disaffection of the people of Ireland, of the disfavour the Government of the country was in, and of the species of distinctions that were made between both countries, were they to prevent him from putting an end to this most monstrous monopoly? A more plundering Corporation than that of Dublin never existed; and he called upon them to say, whether they would not therefore adopt some measure to redress it. If it had been in this country, or in Scotland, the Legislature would never have permitted mischiefs to such an extent to exist for so long a period. In England the Corporations were statutable, but this Corporation was entirely legislative, and was a creature of the Legislature. He would say three words as to the nature of his plan. He had already stated, that the form and elements of the Dublin Corporation were already in existence. He, therefore, did not propose any violent alteration. He would divide Dublin into eight districts, each of which should return three Aldermen, except one, which should in its turn elect four, beginning with No. 1. This would give twenty-five Aldermen. The Aldermen should be elected from the Common Council; and he would give his reason for this presently. He would have each of the Aldermen hold office only six years, in order to prevent that body from becoming an oligarchy. Each ward or district should return eight members to the Common Council; this would make sixty-four. The merchants' company should return eight; but then it should really be a company of merchants. This would make seventy-two. Each of the other twenty-four guilds should return one member each to the Common Council, making in all ninety-six. He would have the right of election to be in the 10*l.* householders; in a word, he would place it upon the same footing with the election of Members to sit in that House. In the Common Council so elected, he would place the right of electing all public officers, such as Sheriffs, &c., to be taken out of their own body. He would also vest the appointment to all places of emolument in the Common Council. The election of Lord Mayor he would leave on the same footing that it was, or at least was to be, in London. By thus increasing the importance of the office of Common Councilmen, they would soon find that that body would be filled by respectable and trustworthy citizens, from whom all other appointments would emanate. The police was altogether a separate establishment; the paving board was also a separate establishment. It was admitted, that there was much of extravagance in the collection of the various amounts; they were collected at a charge of from 8*l.* to 17*l.* per cent. By his plan there would be only one Board, and the revenues would be collected at from 2*l.* 10*s.* to 3*l.* per cent. But he would insert a clause in the Bill declaring that there should be a separate account kept in the Bank of Ireland for this money; and that whoever paid his taxes into the Bank within twenty-one days of their being due, should be allowed to put the 2½ per cent allowed on collection into his own pocket. He was sure that this appointment of one Board only would produce a saving of 50,000*l.* a-year to the country. [Mr. *Littleton:* I calculate it at 25,000*l.*] The right hon. Secretary admitted, that, at least, 25,000*l.* would be saved. He (Mr. O'Connell) thought it would amount to 50,000*l.*, and in a little time to much more. He begged pardon for having detained the House at such length. The hon. and learned Member concluded by moving for leave to bring in a Bill for the better regulation of the Corporation of Dublin.

Mr. *Littleton*, in what he had to say, would not detain the House more than a few moments, because he was sure that, as the hon. and learned Member proceeded, the House became quite convinced that the present was not the most fitting opportunity for the introduction of the Bill to which the hon. and learned Gentleman's Motion referred. He begged to remind the House, that the hon. and learned Gentleman had never raised his voice in favour of Corporation Reform, before Government announced the intention of appointing a Commission of Inquiry into the state of the existing Corporations. To the Government belonged the merit of originating that inquiry; the merit of cordially approving of it belonged to the hon. and learned Gentleman. He trusted the House had not forgotten what passed on this subject during the last Session. The hon. and learned Gentleman, at that period, moved for leave to bring in a Bill similar to the one he now proposed to introduce, and his Motion, after much discussion and objection on the part of several Members of the House, was agreed to, on the condition that the Bill should be introduced forthwith, in order that the Commissioners then about to be appointed, might have the advantage of knowing what reform the hon. and learned Gentleman proposed to make in the Corporation of Dublin. However, the hon. and learned Member, though he obtained leave, never thought proper to introduce his Bill; and what security had the House that the hon. and learned Member would not, in the present Session, pursue the course he had adopted in the last? One of the reasons which induced the Government last year to accede to the hon. and learned Member's Motion, was the belief that a separate measure would be required for the reform of the Corporation of Dublin. They had, however, since ascertained that such a mode of proceeding was not necessary; and he had the authority of Mr. Serjeant Perrin, whose opinion on such a matter was entitled to every confidence, for stating, that it would be unnecessary to pass more than one law for the whole of the Corporations in Ireland. The hon. and learned Member had spoken of the importance of ingrafting the consolidation of the collections of the local revenues with any measure which might be passed for the amendment of the Corporation of Dublin. He entirely agreed with the hon. and learned Member in that opinion; but it would be expedient first to settle the principles by which the Reform of the Corporation should be regulated. Under these circumstances, he felt it his duty to oppose the Motion of the hon. and learned member for Dublin, and the more especially as he expected that the Report of the Corporation Commissioners would very shortly be presented to the House.

Mr. *O'Connell* wished the House to consider what effect the refusal of his Motion would produce in Ireland. None of his statements had been contradicted; and the only reasons offered for rejecting his proposition were, that he had made a similar one last Session, and that a general measure on the subject was about to be introduced. Much as he respected Mr. Serjeant Perrin's talents, he could not allow that that Gentleman would be able to amend the Corporation of Dublin by any other mode than the introduction of a separate measure. That Corporation was regulated by statute, and any enactments for its reformation, if contained in a general measure, must be kept distinct and separate from the rest. But why should he trespass further on the time of the House? The existence of the grievances and abuses which he had exposed was admitted. No answer was made, or even attempted to be made, to his statement, yet he might rest assured that his Motion would be rejected by a triumphant majority.

Mr. *Barron* felt convinced, that the commission the appointment of which was recommended, and having at its head a highly-gifted and honourable man—he meant Mr. Serjeant Perrin—would present a report to Parliament which would be entirely satisfactory to the people of Ireland. With this conviction strong in his mind, and representing, as he did, a large city, the inhabitants of which were greatly interested in the proceedings of the Corporation Commissioners, he thought, with all due deference to the hon. and learned member for Dublin, that the people of Ireland would be glad to see one general measure of Reform introduced, instead of a series of separate Bills, applicable exclusively to particular places. If the hon. and learned Member were allowed to introduce a Bill with reference to Dublin, what reason could be shown why he should not be permitted to propose a Bill solely applicable to the city of Waterford? He really did not understand why the hon. and learned Member should attempt to make a difference where no real distinction existed, and thus needlessly occupy the time of the House. Such, at any rate, was his opinion, and he would not shrink from avowing it, though it might excite the scoffing of the hon. and learned Gentleman. He trusted the Motion would not be persevered in, for if carried, so far from answering any good purpose, it would tend to destroy the feeling of satisfaction with which the people out of doors were disposed to regard the labours of the Corporation Commissioners.

Mr. *Hume* wished to know at what period the Government expected to be enabled to propose a general measure with respect to Corporation Reform? If it would not be practicable for them to introduce any such measure in the present Session, they surely could not refuse the hon. and learned Member the privilege of bringing in a Bill to reform the Corporation of Dublin.

Lord *Althorp* said, that he understood his right hon. friend (Mr. Littleton) to state, that the Report of the Commissioners would very shortly be presented to the House. Of course, when it should be presented, the House would proceed to take it into consideration. The Government had not as yet seen the Report of the Irish Commissioners, but they never would have directed those gentlemen to inquire into the state of the Corporations, if they had not intended to follow up that inquiry by some legislative measure. The hon. and learned Member had complained that his speech had received no answer. He (Lord Althorp) admitted that it had not received any answer, and for a very good reason—the Government had no wish to deny that the Corporation of Dublin required reform; but he did not think it expedient to pass a separate measure for the Corporation of Dublin, for the Commissioners' Report might soon be expected, and a general measure applicable to the whole of Ireland would be founded on it.

Mr. *O'Connell* said that, in consequence of what had fallen from the noble Lord, he should ask leave of the House to withdraw his Motion.

Motion withdrawn.

MARRIAGES OF DISSENTERS.] Lord *John Russell* said, he rose for the purpose of moving for leave to bring in a Bill for the relief of persons dissenting from the Church of England in regard to the celebration of marriages. It was well known that, for a long time past, Dissenters had complained of the grievance which they suffered and the violence done their consciences in being obliged, for the purpose of contracting marriage, to appear before a minister of a church from which they dissented, and to go through ceremonies inconsistent with their own forms of faith. It was likewise felt by many ministers of the Established Church as a most painful duty to have to perform the marriage ceremony for persons dissenting from the Church, who, as most frequently happened, disregarded the ceremony, and very often protested against it at its conclusion. Such being the feeling on both sides, there would not be found, he believed, a single person, whether Churchman or Dissenter, who would not be extremely pleased if a measure could be framed which, without doing any injury to the Church on the one hand, or violating the consciences of Dissenters on the other, might yet give the Dissenters relief from the grievances of which they complained. He was happy to say, that his Majesty's Ministers having turned their attention to this subject, were now enabled to propose a plan which, if it did not obviate every difficulty, or meet every objection, would, he trusted, be found sufficient to give real and substantial relief in the case he had just alluded to. The Dissenters, in calling for an alteration of the existing law, proposed one of two things—either that the Act of Marriage should be an entirely civil contract, with liberty to the parties afterwards to celebrate such religious ceremonies as were most agreeable to their feelings, or that power should be given to Dissenting ministers to celebrate marriages, and that such marriages should be held to be legal. With respect to the first of these propositions, he was ready to admit that it possessed a great advantage in its simplicity, and that it would at once obviate a great many of the difficulties with which this matter was incumbered. Yet, though it was in principle very defensible, it would be so repugnant to the feelings of a great portion of the country, that he did not think it would be wise or expedient to propose any measure of the sort. He then came to the second remedy proposed—namely, to allow Dissenting ministers to perform the marriage ceremony of persons belonging to their own congregations; and it was on this principle that the Bill which he had the honour to propose was founded. The Government did not intend to propose that every Dissenting chapel in the country should be licensed for the celebration of marriages; but, whenever twenty householders in a parish should represent by memorial or petition, that they wished to have a certain chapel in a fixed place licensed for that purpose, it should be incumbent on the magistrates at quarter sessions, or those by whom Dissenting chapels were at present licensed for the celebration of divine worship, to grant the required license, on the condition that a notice of the grant of such license be fixed upon a conspicuous part of the chapel. The minister of that chapel would then have it in his power to celebrate marriages; but this power could only be exercised on certain conditions, and in a specified manner. Parties wishing to be married according to ceremonies and rites differing from those of the Church of England, would have to proceed, in the first instance, in the same way as persons belonging to the establishment. They must either be married by bans or by license. If they chose to be married by bans, they would have to give a regular notice to the clergyman of the parish in which they resided; or if they resided in different parishes, the clergyman of each was to publish the bans. After they had been published, if the parties wished the marriage to be celebrated by a Dissenting minister, they must ask for a certificate of the due publication of the bans, and the clergyman of the parish, upon granting it, would enter in the book in which the bans were recorded, that a certificate had been granted on the application of such parties. The Dissenting minister would then have to give notice in his chapel that he would proceed in the course of the week to celebrate the marriage; and, after the ceremony, he would be required to record the marriage in a registry kept by him for that purpose. He believed that insuperable difficulty would be felt in making the parish clergyman enter on the general registry marriages celebrated by dissenting ministers, and, therefore, it was not to be denied that, in making the proposed alteration, the advantage of possessing in the registry of the Church of England a registry of all the marriages celebrated in the country would be lost. Still this defect would be compensated for by providing that registries should be kept by the Dissenting ministers, a copy of which, at the completion of every three months, should be transmitted to the registrar of the diocese. He, therefore, thought that there would exist sufficient proofs for the celebration of these marriages. There would, first of all, be the record of the bans, and of the grant of the certificate; then the registries of the Dissenting chapels; and, lastly, the copies kept by the registrars of the different dioceses. The registries at present were very irregularly kept; but it was conceived that they would be preserved in a more regular and complete manner if it were required that a fee should accompany their transmission to the registrars of the dioceses. There was, however, another difficulty with respect to this subject, to which he begged to call the attention of the House. It was well known that the registries of the Established Church were regularly kept in a fixed and certain place; whereas Dissenting chapels were often abandoned by the religious frequenters, and, being used for other purposes than divine worship, the registries kept in them ceased to be of any value. It would therefore be provided, in the Bill which he proposed to introduce, that the magistrates at quarter sessions, on being certified by two justices of the peace that any Dissenting chapel had ceased to be frequented, should have the power at once to withdraw the license for the celebration of marriages in such chapel, and to order the original registry to be transmitted to the registrar of the diocese. Such an enactment as that would, he thought, provide against the difficulties which otherwise might be felt from the abandonment of a licensed chapel by its congregation. Another way in which marriages might be performed in this country was by license; and it would be enacted in the proposed measure, that Dissenters desiring to marry by license must make, as at present, application to the surrogate. The license having been granted, the Dissenting minister, on marrying the parties, would record the marriage in his registry. Such were the chief provisions of the proposed measure; and he thought he need not say that no little difficulty had been found in drawing them up, so as to meet the wishes of the aggrieved parties. But he was aware, that unless a disposition should be manifested to waive objections, and, to a certain degree, to give up scruples on this subject, both on the part of the Churchmen and Dissenters, no measure could be framed which would be satisfactory in its operation. He therefore trusted that concessions would be made on both sides, and that Parliament would show, that while it preserved the rights and privileges of Churchmen, had no objection, whenever any practical grievance was pointed out by the Dissenters, to inquire into the subject in the spirit of conciliation. The noble Lord concluded by moving for leave to bring in a Bill "for the relief of persons dissenting from the Church of England in regard to the celebration of marriages."

Mr. *Hume* was disposed to think that we had adopted a very bad principle upon the subject of the registration of births and marriages. Marriages should be a civil act, and then the registration would be matter of little difficulty, as was found to be the case in almost every foreign country. The evil here, however, was that every thing of that sort must go through the Church for the benefit of the Church; and hence the difficulties and irregularities, of which the people of this country had so much more reason to complain, than those of all other countries. We should, in the matter of registration, follow their example. Persons to be married, should go before the Civil Magistrate, who could and would keep an intelligible registry, which could be of easy access to all the parties interested in it. Our present system was too complex, and should be simplified as speedily as possible. In short, every thing should be done by the Government, which could put an end to jealousies between the people. He could see but little utility in the proposed regulations of the noble Lord; and, he would ask, were the marriages of the Jews to come under the operation of this Bill? The noble Lord had said nothing about them, although they were as much the King's subjects as any other class of people in the empire. The Bill proposed by the noble Lord, was a partial Bill, but, as it was a step towards improvement, he would not object to it. He would only say that a civil registration would answer every purpose, better than that existing at present, and also far better than that now proposed by the noble Lord.

Sir *Robert Inglis* expressed his hope that, in whatever might be done upon this subject, the House would not reject the Protestant Church, though the hon. Member seemed to say he would reject it. [Mr. *Hume:* No, indeed, I did not say so.] He was glad when he heard that the hon. Member would not reject the Church; and he hoped the hon. Member would support that in all its essential rights and privileges. He thought, as far as he could judge of the noble Lord's plan, that it was too complicated for the House to be able at this instant, to give any opinion upon it. He felt that he could give no opinion. The noble Lord had stated in what places marriages were to be performed, but he had not stated by whom they were to be performed. Were licenses to perform the marriage ceremony to be given, without any examination? But at present he would say nothing more upon the subject, nor until he saw the Bill, with its details, in a printed form.

Dr. *Lushington* was not inclined to deny that, if in the existing state of society, general principles could be carried into effect, it might be considered a most advisable, simple, and efficient plan, to render marriage (after due publicity had been attained by some mode of publication) a civil ceremony, leaving it to the parties at a subsequent period to comply with such religious ceremonies as their own feelings and consciences might dictate; but the country was not precisely in that state and condition, for it contained persons of a great variety of sentiments on the subject of marriage, and the nature of the contract; and he was perfectly confident, whatever might be his own judgment, that it would be exceedingly difficult to carry into complete and universal effect the principle to which he had adverted without violating the conscientious feelings of a very large proportion of those who were attached to the Established Church. If we could find a practical remedy for the present grievances—if we could remove from the minds of the Dissenters the present unpleasant and painful feelings which they experienced—without violating the feelings of members of the Established Church, it would be expedient to do so. He was afraid, however, that there was no such middle course as might be found acceptable to the great majority of all opinions, and, therefore, the advantage which would be derived from the measure proposed by his noble friend was this, that, as on the one hand, the most scrupulous judgment could not possibly find any sound reason or ground for objecting to the present Bill being carried into effect, so he thought no honest and well-judging Dissenter would hesitate to comply with those terms and preliminaries which were essential to the due publication of the intention of the parties, and for the prevention of those fraudulent marriages which were the cause of such measures taking place. He was well aware that this measure was fraught with difficulties, but the difficulties concerning registration were very great. He was well aware, that a system of universal registration must be exceedingly advantageous; but he had read the report and the evidence, and he was prepared to say, that to the establishment of that universal registry there were difficulties which he could not overcome. In the first place, as concerned the registration of births, he was convinced that that would never be done voluntarily by the people of this country. His hon. friend, the member for Oxford, had said, that this was a complicated measure. He had never witnessed a measure on this subject, more simple than the measure now proposed. A Dissenter wished to be married in his own chapel—his bans were put up in the ordinary and accustomed forms; there was no difference made—no alteration in the law whatever; but this Bill, if it were passed into a law, would give him the power of going to the minister of the Church where the bans were published, and say,—"Give me a certificate and a declaration, that I may be married in a particular chapel." On looking to the history of the marriage-law in this country, he was inclined to think that, by agreeing to this Bill, the House would be doing no more than adverting to the ancient system. In ancient days, the intervention of a priest was not necessary; and when it became the custom, it was not for the purpose of rendering the contract of marriage good and valid, for as far as the year 1756, in 99 cases out of 100, a promise given *de præsenti* between two individuals, was sufficient to make a marriage binding. Lord Hardwicke's Marriage Act was the original innovation; an Act, which, although it was calculated to put an end to some of the evils which prevailed, the evils of clandestine marriage, yet introduced other evils and mischiefs, surely as great as those which it was intended to suppress. That Act was fraught with great injustice, for it compelled the honest Dissenter, who conscientiously differed from the doctrines of the Church of England, who considered the marriage service, however sacred and venerable in the opinions of members of the Church of England, as an adaptation of forms of which in his conscience he disapproved—it compelled him, before he could enter into the bonds of matrimony, to begin by violating his own conscience. He was sure that every one in the House would feel most desirous to adopt any measure which could relieve the Dissenters. Not only every man of honesty, but every individual who revered a ceremony, such as the marriage ceremony of the Established Church, and did not wish to see it constantly disregarded, would be desirous of supporting a measure such as that which had been introduced by his noble friend. He should be exceedingly sorry, if, in giving this just and well-deserved measure of relief to the Dissenters, the Legislature were under the necessity of violating the rights and consciences of members of the Established Church; but when he said that there was nothing but the publication of the bans, which told whether the parties belonged to the Established or the Dissenters' Church, he was at a loss to conceive how the most tender conscience that ever raised a scruple, could by possibility be offended at having so simple a reform. This publication was requisite to avoid what otherwise might take place with so much facility—viz., the contracting and the performing of clandestine marriages. There was no chance of the marriages of Dissenters being more clandestine than the marriages of members of the Church of England. He trusted that this Bill would be recognized and hailed by all Dissenters as a great measure of relief.

Sir *George Grey* expressed his regret with the hon. member for Middlesex, that this country seemed so far behind all others in Europe, with regard to registration. A large portion of the community, under the present system, were altogether excluded from its benefits; and it was quite necessary that a complete and extensive change should be introduced. He hailed with satisfaction the measure of the noble Lord, as the first step towards concessions to Dissenters of their just claims. He said the first step, because he had no doubt the noble Lord agreed with him in thinking that they could not stop here. There were some demands made by Dissenters, which he, as a member of the Established Church, considered both unjust and unreasonable, but there might be a difference of opinion on such matters, and, at all events, he should ever be found a decided advocate for the practical redress of every existing grievance, while the demand for it was just and reasonable.

Mr. *Estcourt* said, he was induced to believe, from the sentiments which had fallen from the hon. Members who had preceded him, that the measure now proposed, was only a preliminary proceeding to one of a more general and extensive nature. The House was, however, in the meantime, in possession of this easy and simple measure which had been proposed by the noble Lord. But notwithstanding this, he felt anxious to state that he could not agree with the noble Lord. With respect to a statement made by the hon. member for Middlesex, that registers were made out negligently, he would observe, that it was a duty imposed upon the clergy by Act of Parliament, and that they were compelled to the due discharge of this duty, whatever might be the inconvenience attending it.

Mr. *Buckingham* said, that he had listened to the speech of the noble Lord who introduced the subject of the Debate, with that attention which its great interest demanded; and he thought the statements it contained so clear, that no one could misapprehend them. Throughout the whole of that speech, the aim of the noble Lord was, to show that his Majesty's Ministers were very desirous of affording relief to the Dissenters, and to prove that this measure would effectually secure the relief they desired. But after hearing the speech of the hon. and learned member for the Tower Hamlets (Dr. Lushington), he found that, though the measure was one professing to have for its main object the relief of the Dissenters, yet that a deference to the authority of the Church was still to be maintained, and great pains taken to prevent anything being done, that should displease the members of the Establishment. For his own part, he confessed that he saw no sufficient reason for this tenderness towards the feelings of churchmen, for since it was a Bill intended to regulate the marriages of Dissenters, he could not understand why churchmen should either assume, or be permitted to have, any interest whatever in the matter. The hon. and learned member for the Tower Hamlets had given it as the result of his experience, that the people of England belonging to the Established Church would be grievously wounded if the marriages of Dissenters were to be celebrated wholly by, and among themselves, without the Church having any cognizance of the matter. Now, with all deference to the experience of the hon. and learned member, he (Mr. Buckingham) must take leave to say that, as far as his experience went—and it was as varied and extensive, perhaps, as that of the learned Civilian—though possibly among different classes of society, he should say that he had never met with any lay members of the Church, who had not expressed their readiness to concede to the Dissenters the entire management of their marriages, burials, and all other ordinances of this description, without the interference of the Church in any way whatever. To the clergy of the Establishment, who had a pecuniary interest in the preservation of the emoluments which flowed from these ordinances, the transfer of their celebration to the Dissenters might perhaps be objectionable; but, as far as the general feeling of their congregations were engaged, he believed that few or no objections would be taken by them to such a transfer as fully and completely as the Dissenters themselves could desire. The question had been raised as to whether marriage was generally regarded in this country as a civil contract, or a religious one; and undoubtedly it was important to settle that point, in order to legislate on a sound basis for its future regulation. The reasons which induced him to think that, even in England, it was regarded much more in the light of a civil than a religious act, was this.—First, that though the solemnization of marriage was accompanied by a religious ceremony, all the obligations imposed by the contract were purely civil, and recognized only by the civil law. If there be at any time a breach of the promise to marry, a violation of the marriage vow after marriage has taken place, a desertion of the wife by the husband, an infidelity in either party, or any other departure from the duties of the married state, they were cognizable only by the civil law; they were prosecuted in Courts of Justice, and tried like other offences against the law, without any reference whatever to the peculiar creed of the parties. Secondly, that in acts purely religious, the magistrate was never consulted or applied to; nor could any human authority be justly exercised either to allow or to prevent them. When, for instance, any individual, as a purely religious act, associated himself with some religious community, entered himself as a member of some particular sect, and joined with his religious brethren in all the duties which his union to them imposed, neither the civil magistrate nor the clerical authority were ever applied to, or their jurisdiction admitted in any way whatever. It was clear then, from this, that marriage was not regarded as a religious act, either by the law, or by the community; while its subjection to civil prosecutions and civil penalties, for breaches of any part of its contracts, gave it a civil character in almost every stage, from its first contraction to its ultimate annulment by divorce. It would have been far better, then, he thought, since an alteration was to be made, had the whole subject been regarded as to its civil obligations; and these secured upon a firm and general basis; while the religious solemnization of the contract by different sects might have been left entirely to the direction of the several sects themselves. Among the provisions contained in the Bill, was one which still made it imperative upon the parties to have the bans of their marriage published in the parish church. Now, he asked, what was the intention of the publication of bans at all? It was undoubtedly to prevent clandestine and improper marriages, by giving such ample notice of the intended union to the community at large, as to allow all who could state any objections to such union, to come forward and prevent it in time. But when Dissenters were about to be married, where could there be so proper a place for the publication of their bans, as in the chapel, and among the congregation to which they belonged? All their friends, connexions, and associates would be there: and every thing respecting them be generally and accurately known; while, in the parish church, which, being Dissenters, they would certainly not frequent, they would be as unknown as in another town, and the whole object of the publication of the bans be thus neutralized or defeated. Besides which, all those who were in the habit of hearing the bans published in the parish churches of large and populous districts, must be well aware, that the multiplicity of the names called over, was such as to become tiresome in the extreme, and lead to great inattention, while the divisions of the whole mass into the smaller portions which they would form, if the minister of each Dissenting chapel published the bans of all persons belonging to his congregation, would leave only a few names to be announced on each Sabbath; and these would obtain greater attention, and greater publicity—in the very places where it was most important that that publicity should be given. There was one consideration, however, which presented itself to him with greater force than all the rest. The noble Lord, the Chancellor of the Exchequer, had objected, and most reasonably, to the introduction of so partial a measure as the Bill proposed by the hon. and learned member for Dublin for the improvement of that Corporation only, while a great general measure was in preparation for improving other Corporations as well. Exactly the same objection, he thought, might be made to the present Bill, introduced by the noble Lord, the Paymaster of the Forces. As a part of those measures of relief which the Dissenters sought, it was acceptable as far as it went; but it was deeply to be regretted that it should stop there. If it were really the wish of his Majesty's Government to afford relief to the Dissenters—and that was their professed object in introducing this measure—it would be well to ask, what were the points on which the Dissenters asked such relief? Did they confine themselves exclusively to the desire of being able to celebrate their own marriages in their own way? Certainly not. Whether the House consulted the memorials transmitted from the various bodies of Dissenters to Lord Grey, or the petitions from them presented to the House, they all prayed for much more. First, for a general registration of births, instead of baptisms, to secure them that legal evidence on which the transmission of property, and various other rights, so materially depended; secondly, for a general registration of marriages, unconnected entirely with any religious authority, and leaving the mode of solemnization open to all; thirdly, for a power to inter their dead in parochial cemeteries, without the intervention of the Established clergy, and by a funeral service of their own; and fourthly, for an equal admission to, and participation in, all the honours of the Universities, without subscribing to religious tests, or being at all called upon to adhere to any particular opinions. If the noble Lord or his Majesty's Ministers, would introduce at once a Bill conferring on the Dissenters of England all these rights, he doubted not but that it would be hailed by the whole of that large portion of his Majesty's subjects, with the greatest gratitude and joy; but the present measure, he feared, would be regarded as partial and insufficient: and since he was persuaded that, before the close of the present Session, attempts would be made to secure for the Dissenters, each and all of these objects of their desire, he ventured still to hope that his Majesty's Government would anticipate their wishes, by framing one general and comprehensive measure, which should embrace all these objects, and thus complete the great work of religious freedom, by emancipating all sects from any subjection or subordination to any dominant ecclesiastical power.

Mr. *Ewart* agreed with his hon. friend that this was a national question, and should be considered in its general importance and bearings as a national question. The measure that had been proposed was, in his opinion, not sufficiently comprehensive. He, as the Representative of a large body of Dissenters, felt a warm interest in the subject, and therefore could not refrain from asking the question, was it not felt that births, marriages, and deaths, should be properly recorded?

Mr. *Faithfull*, characterized it as an act of injustice, that the rights of Dissenters should have been so long withheld from them, and that Bill was no restitution of their rights. Many petitions had been presented to the House on this subject, (with the whole of which he did not agree in sentiment); and many more would be presented, of which opportunities he would avail himself to express his opinions more fully and decidedly. A great deal had been said of clandestine marriages. Now the fact was, that there were fewer clandestine marriages among the Quakers and Jews, who were not subject to those laws, than there were in the Established Church. Why not allow Dissenters to celebrate marriage in their own way, as the Jews and Quakers were permitted to do? He would leave the noble Lord to reconcile this difference. The measure proposed by the noble Lord was a minute and contemptible one. He would attend to the progress of it, and, on the second reading, would do it as complete justice as his ability would permit.

Lord *John Russell*, in reply, said, the objections would be more properly discussed in some future stage. The hon. Member who spoke last, said the measure was minute and contemptible. It certainly did not go so far as totally to extinguish the Established Church, or to separate Church and State, as the hon. Member wished. It was not one of those grand and decisive measures which involved total overthrow. He did not mean to deny the advantages of a general registration, but there were difficulties and objections which the member for Middlesex did not seem to have considered. A general registry might be kept in two ways, either by the clergy of the Church of England, or it might be a civil registry. There were objections to the latter. It would require much complicated machinery, and would involve compulsion. The Dissenters would no doubt object to the former. The great difficulty was, that if the Dissenters registered their own marriages, they might be celebrated in obscure places, which would give rise to difficulties.

Leave given, and Bill ordered to be brought in.

ALLOTMENT SYSTEM.] Mr. *Pryme* rose to bring forward the following Motion:—"That the Committee on every Inclosure Bill shall, in their Report, certify whether a portion of land, as near to the village as conveniently may be, and not less than in the proportion of one acre to every twenty-five inhabitants according to the last population census, has been by such Bill directed to be allotted out of the commonable lands or waste grounds to the incumbent of the living and the parish officers for the time being, and the owners of one hundred acres of land in such parish, as trustees in trust to let the same in small portions, at low rents, to all labourers resident in the parish who may be desirous of hiring the same, such rents to be paid to the parish officers for the time being, in aid of the poor-rates; or whether there be any special reason why such allotment cannot conveniently or properly be made in that particular instance." The plan, said the hon. Member, of giving small allotments of land to labourers was not quite a new one. The experiment had been tried in some instances, and found very beneficial. In the November of 1830, when the firing of stacks and farmyards was occurring in different parts of the country, it was not found that labourers having these small allotments were in any instance connected with such outrages. In a parish in the county of Cambridge half an acre had been given to each labourer, with a condition that he should be discharged if he did not pay the rent. Since this establishment was formed, it had been found necessary to discharge no more than two; the poor-rates had been diminished, and the habits of the labourers greatly ameliorated. The proposition he meant to submit to the House was to render it compulsory to appropriate a certain portion of any land that might hereafter be enclosed for the purpose of allotting it to the poor. Besides other advantages, labour would be created by the necessary fencing, draining, and cultivation of such allotments. It would be a stimulus to improvement to have the labourers allotments in immediate contiguity, in place of being dispersed over the whole surface of a parish. The rent accruing he proposed should be appropriated to the uses of the parish. The principal objection to the plan was, that it would take from every owner a portion of the land which of right belonged to him; but it was the same with roads. The owner of land in the case of a road was deprived of a portion of his land, but it was for the public benefit. The proprietors of land would eventually be more benefited by such allotments than if the inclosure was divided among them, for, while a body of more independent and comfortable labourers would thus be created, the poor-rate would be diminished. This diminution of rate would be a great benefit to the proprietor, for it was he, in fact, and not the occupier, who paid the poor-rates. They would pay a lower rate, and eventually receive a higher rent. Before he had the honour of a seat in that House, he introduced this system into one parish. It had been tried for some time, and was now found to be completely successful. This success appeared in the greater comfort of the labourer, and the crops produced on these allotments were more abundant than the crops of the neighbouring farmers. He might say it succeeded wherever it had been hitherto tried. One objection was, that by dealing out such small portions of land, a body of men would be created who would be neither farmers nor labourers. This might be a valid objection if he proposed to give large portions of land; but as he proposed to allot to each not more than a quarter or half an acre this could not alter the character or position of the labourer. The hon. Member concluded by moving his Resolution.

The resolution having been seconded and put from the Chair,

Mr. *Gisborne* opposed the Motion. Very little benefit could arise now from a plan of this kind, when there remained but few inclosures to be made. He had no doubt of the good intentions of his hon. friend, but he could not support a motion which appeared to him a mere peddling attempt at getting rid of a great and extensive evil. He hoped the subject would be taken up on a more enlarged scale, and in a way calculated to do real good. This measure was much too partial in its operation. It would affect but very few parishes.

Mr. *Tower* saw no good that could arise from the Motion. Poor lands were already out of cultivation, and there was no likelihood that if other poor lands were now enclosed, they could be advantageously cultivated by labourers. What was now proposed would not effect the object which his hon. friend had in view. The number of enclosures likely to take place was too limited to be extensively beneficial. The best way to improve the condition of the poor would be to afford them an opportunity of converting their labour to most profit.

Mr. *Pryme*, in reply, said, there were twenty Inclosure Bills this Session, and he saw no reason why such a measure as that proposed by him should not be applied. If they could not do all the good they desired, they ought to do all they could.

The House divided—Ayes 31; Noes 136: Majority 105.

List of the AYES.

Brodie, W. D.
Beauclerk, Major
Buckingham, J. S.
Briscoe, I.
Brocklehurst, J.
Blake, M.
Brotherton, J.
Buxton, T. F.
Briggs, R.
Dundas, Captain
Grosvenor, Lord R.
Hall, B.
Kennedy, J.
Lalor, P.
Marsland, T.
Maxwell, J.
Miles, W.
O'Dwyer, A.
O'Connor, F.
Pease, J.
Ruthven, E.
Ruthven, E. jun.
Roebuck, J. A.
Sinclair, G.
Staveley, T. K.
Tollemache, A. G.
Tyrell, C.
Walter, J.
Williams, Colonel

TELLERS.

Pryme, George
Potter, R.

PROSECUTION OF THE PILOT.] Mr. *O'Dwyer* rose to bring forward the charge which he had to make against the Irish Government and which was one of serious importance. It was in fact no less than that, in a case of the Crown against a subject, a jury had been empannelled in such a manner as to secure a conviction contrary to justice. Serious as the charge was, he had no doubt but that he should be enabled to establish it to the satisfaction of the House. The case of which he complained arose out of a libel written when the Coercion Bill passed through Parliament, which was, of course, a period of great excitement, particularly amongst Irish Members, who might certainly be pardoned if they had indulged in very strong expressions in reference to that Bill. This libel was published, with the signature of an hon. and learned Member of that House attached to it, in the *Pilot* newspaper. The Coercion Bill received the royal assent on the 2nd, and the publication took place on the 8th, of April. A prosecution was commenced, and the panel was returned according to the worst manner of the ascendancy in that country, and under a jury law already condemned by the Government itself. Out of one hundred and seventy-four names on the panel, only seven were Catholics; and there were as few Protestants who were unconnected with the party opposed to the person to be tried. The Government in that case were opposed to the people, and they well knew that Tories in such a case were fit tools to work with; and they accordingly left all such upon the panel. During the first administration of Lord Wellesley in Ireland, and when that noble Lord commenced the good work of grappling with ascendancy in that country, he was an object of the most untiring vituperation. His public character was traduced; his administration maligned—nay, even his private life was held up to odium, contempt, and execration. One of the instruments of faction, a newspaper of that day, published a libel against the noble Marquess, so audacious, so foul, and so untrue, that it was most properly deemed to be a fit subject for a state prosecution, and it accordingly was prosecuted by the Attorney-General. That Attorney-General was the present Lord Plunkett; and he would quote the description of that libel, which was uttered by the eloquent individual who conducted the prosecution. Mr. Plunkett described the publication as one which contained "much political observation," and, said he, "Such I would rather suffer to pass unpunished, than to do any thing that would have a tendency to tie up public discussion! But it contains malignant private calumnies—it bears the mark of the mercenary slanderer, who is ready to sell his venom for hire, and to invade indiscriminately the character of the private individual and public functionary." "The libeller," continued Mr. Plunkett, "charges the Marquess Wellesley with various distinct enormities. It charges him with an abandoned youth—with irreclaimable depravity—with contempt for the established religion—with inordinate lust of power—with immoralities practised within the walls of Dublin Castle, of so atrocious a character that it would violate public decency to disclose them in a newspaper. This man (the libeller) proceeded Mr. Plunkett, "has asserted the scenes of profligacy which prevailed at the Castle were such as to deter persons of respectability from attending the court—that females of any notions of delicacy or propriety could not appear there—and after including the charges of irreclaimable depravity, contempt of religion, hoarding avarice, and revolting immorality, the writer institutes a direct comparison between the profligate Lord Wharton and the Marquess Wellesley." This was a severe, but it was a just description of that libel. It was a mercenary and slanderous libel. The juries of that day, however, were constituted as the jury was, that tried the editor of the *Pilot*. They were selected by the sheriffs, who were themselves selected by the corporation of Dublin, that is now doomed to destruction for its mal-practices. The Government of that day was in favor with the people, and in disfavor with the ascendancy party; and, in conformity with ancient practice, the jury found a verdict of acquittal of the traverser, and sent him abroad in triumph over the head of the Irish Government. Would it be believed that the jury that condemned Mr. Barrett the Editor of the *Pilot*, was composed of the same class of politicians as those who acquitted the private malignant libeller of Lord Wellesley; nay, that there were on both juries the same individuals? Let the House draw their inference. The trial of Mr. Barrett proceeded; there were, as well as he could remember, at least fourteen intents elaborately laid in the indictment. The jury could not have read the one-third of them, when they flippantly returned a verdict of guilty. They encumbered their verdict with a despicable recommendation to mercy; and the court evinced their susceptibility of the gentle attribute of mercy, by sentencing the traverser to an imprisonment of six months, a fine, and the additional punishment of entering into heavy recognizances for a great many years. It was painful to draw the attention of the House to this fact, that it had been reserved for a government calling itself the friends of the people, to have instituted, in a time of profound quiet, of complete national repose—when the public peace incurred no danger of excitement—more prosecutions against the press than any of its predecessors. By a return laid before the House in 1830, of all prosecutions during the reign of their late Majesties, George 3rd, and 4th, either by *ex-officio* or indictment, under the direction of the Attorney-General for libels against the Government, embracing a period of sixty-eight years, ending in 1829, during which time scarcely a day passed in which there were not libels directed against Members of the Government, there were but forty prosecutions instituted in Great Britain. A Tory oppression, antipopular, press-prosecuting government, or series of governments, instituted forty prosecutions: whilst a Whig, liberal, popular, liberty-of-the-press-loving Ministry, had instituted, in three years, in a small portion of the empire—In Ireland—thirteen prosecutions for libel. The conduct of the Government, besides, had a most censurable originality in this respect, for they were not satisfied with the prosecution of the libeller; they prosecuted the mere machine, the instrument of publication,—they condescended to prosecute the printer as well as the author. In the case, too, of Mr. Barrett, the Government had pursued a course of vindictive conduct. When that individual was sent to prison, the public sympathy gathered about him. The sanction of the public did not ratify the verdict of the jury, and the general feeling declared that he who was a martyr to a principle should be sustained by the support of the country. The circulation of his newspaper increased, new friends came to his assistance, and the principles for which he was doomed to suffer were likely to obtain increased circulation. The Government then came down—the noble Lord and the Secretary for Ireland admitted that the Government did come down—with an order to the Stamp Commissioners to enforce that section of the statute of 1815, which superadded to the punishment of imprisonment the aggravated penalty of ruin to the fortune of the individual—ruin to him and to his family, and to his creditors, if he had any, and to his dependents, many of whom the editor had. He had given notice that he would apply this night for leave to bring in a Bill to repeal that law, and the noble Lord came down there to intimate the intention of the Government to repeal it. He would not complain of the noble Lord doing that which he would have endeavoured humbly to accomplish; but he would say that he did not feel any gratitude for this intimation of the Government. He attributed this measure to the spirit of British indignation which had been aroused out of doors by the arbitrary use of this power, and which declared unequivocally that the law should be altered. He would conclude, by reminding the House, that every Catholic was excluded from the jury that tried Mr. Barrett—that every Protestant unconnected with party was excluded from that jury, and that the jury which was empannelled consisted of men of the most violent and anti-popular opinions on political subjects. Under such circumstances he felt that he did not ask the House to do more than was required by the case, to intimate, by a resolution, that which could not be denied—that such a practice was calculated to affect the public confidence in the administration of justice. The hon. Member concluded, by moving the following resolution. "That the exclusion of Roman Catholics from the special jury in the case of the King *v.* R. Barrett, and the subsequent suppression by the Government of the *Pilot* newspaper, of which the said Mr. R. Barrett is the proprietor deserves the condemnation of this House."

Mr. *Littleton* said, that if he had suspended his judgment upon the present question until the conclusion of the hon. Gentleman's statement, he should have been entirely disappointed, for he had never heard a case more weakly supported. He would beg to call the attention of the House to the facts of the case. On the 11th day of May, notice was served that the Jury would be struck; that proceeding was, at the request of the traverser, postponed till the 15th of May, and 207 names were gone through before the forty-eight were agreed upon. The fact was, that the liberality exercised on the part of the Crown in striking the panel in this case was perfectly unparalleled. He defied the hon. and learned Gentleman to state a single objection that had been taken on the part of the Crown. The truth was, that the objections to the names on the panel had all proceeded from the counsel for the defendant. The Crown solicitor did not strike off a single individual until the list was reduced to forty-eight, when it became necessary for each party successively to strike off a certain number in order to reduce it to twenty-four, and the Crown solicitor, in exercising that part of his duty, did not strike off a single individual unless for good and sufficient reasons. Not one of the objections raised by the attorney for the traverser had been resisted by Mr. Kemmis, for, if there had, it would have been impossible to have obtained even forty-eight names out of 207. It was, no doubt, true, that the names of Mr. Guinness, and Sir Thomas M'Kenny had been struck out of the list, but against these Gentlemen no possible objection could have been made on the part of the Crown, for they were men not only of irreproachable character, but of independent fortunes. Mr. Kemmis had really performed only his duty in what he had done; and there was not, he could assure the House, the shadow of pretence for inflicting censure on that officer for the discretion which he had exercised in this case. The Jury had undoubtedly been struck according to the old system and before the new law came into operation; yet it should be recollected, that the grand panel from which it was taken, had been formed for every other purpose—for trials of every other description, and that, therefore, it could not with justice be said, that it had been prepared or packed with a view to the trial of this particular case. The hon. member for Drogheda had said, that during sixty-eight years of Tory Government, there had been only forty prosecutions against the press. Now, there was a strong impression in his (Mr. Littleton's) mind, that the return on the authority of which that hon. Gentleman professed to make that statement, must be a very erroneous one, and that impression was especially strengthened by an account which he held in his hand, of the number of such prosecutions that had been instituted by the Government immediately preceding the Administration of Lord Grey. It appeared from that document, that no less than five such prosecutions had been instituted by Sir James Scarlett, the Attorney General under the Duke of Wellington's Government. He found, too, in looking at this return, that the number of counsel employed in each of those cases was about the same as in that now immediately before the House. In those cases, the number of counsel employed had been generally six. He was ready to admit, that eight counsel had been employed in the present case; but then there were peculiar circumstances connected with it which, as he believed, rendered the employment of a large bar necessary. The hon. Gentleman had said, that this publication had been sent forth during a period of great excitement, and that that fact went far to excuse the conduct of the defendant. Now, he (Mr. Littleton) would say, that the very circumstance of this libel having been written and published during a period of excitement, under the name of a member of Parliament, rendered it far less excusable than it otherwise would have been. It appeared to him, that the fact of this libel having been the production of an individual who was a Member of that House, who possessed there the full means and liberty of giving due expression to his feelings and opinions, but who, instead of taking that legitimate channel of conveying his sentiments to the world, went out of doors, and sought, in the manner this writer did, to excite the public mind—it appeared to him, he repeated, that that fact went far to aggravate the guilt of the libel. He was sorry, that an individual so circumstanced, finding himself unable to give free and unchecked vent within those walls to such sentiments as that libel contained, should have gone out of doors and in such a manner endeavoured to excite and agitate the public mind of Ireland. He regretted, that any Member of that House should have been the author of a publication, the object of which every fair and impartial man that read it must admit was unadulterated mischief—a production in which it was stated, that so great, so mortal, so deadly, was the hatred which the people of England bore to the people of Ireland, that there was no longer any security for the lives, the fortunes, or the liberties of the latter; that, so prejudiced was a British Legislature, so destitute of every feeling of humanity or justice, that there was not the slightest chance of the people of Ireland obtaining justice at their hands when any question affecting that country came before them; and that any one that should say, that a British Parliament would do justice to Ireland would deserve the name of an audacious slave. Such was the character—he believed that he had accurately stated it—of the publication in question. He would conscientiously declare, that if he had been on the Jury, he would have found it as they had found it—a libel; and he would fearlessly assert, that any Jury of honest, conscientious, and well-meaning men, whether in Ireland, England, or any other part of the King's dominions, if they had been empanelled on the case, would have returned the same verdict. The Jury did no more than common justice in finding that verdict, and, as honest men, they could not possibly have found any other. He repeated that, if he had been on the Jury, he would have concurred in it, and he need scarcely, therefore, inform the House, that he should certainly resist the present Motion.

Mr. *O'Connell* said, that the right hon. Gentleman had told them, that if he had been on this Jury, he would have concurred in their verdict. He was sure that the right hon. Gentleman would not have done so, as he knew that he was incapable of violating his oath. This he would assert, that no man could have found such a verdict in such a case without violating his oath from party principles and political motives. It was said, that any honest Jury would have found a similar verdict. Why, then, were the names of such respectable men as Mr. Guinness, and Sir T. M'Kenny struck off the panel from which that Jury had been selected? One of those individuals was Governor of the Bank of Ireland, and they were both of unimpeached integrity and respectability. Was it intended to have an honest Jury or a fair verdict when such men were struck off the list? Did the House require stronger evidence to prove the efforts of the Crown to obtain a partial verdict in its own favor? If it did, that evidence was to be found in the striking off the names of every Catholic on the list. One of them was Mr. William Murphy, a gentleman who possessed more property than the whole twelve who sat upon the Jury. When they wished to convince the people of Ireland that a

British Parliament would do justice, were they to stifle an inquiry which the circumstances of the case so strongly called for? The names of the other two Catholics were Mr. John O'Brien, and Mr. Stephen Grehan; all three most respectable gentlemen, and all three, he might remark, who had, in many instances, and in many respects, dissented from his (Mr. O'Connell's) line of politics. Thus the Government struck off four or five of the most respectable and independent men on the panel, and then they were to be told, that the Jury had been fairly selected. Now who, he would ask, was the foreman of that Jury? Mr. Long, the coachmaker, a gentleman whose name had been heard of before in that House—a bitter opponent of the Government, who had taken a most active part in a not very distant election against the Government candidates, Perrin and Harty, and who had succeeded in turning them out. Such was the foreman. Who was the next upon the Jury? Mr. Isaac Hynes, a gentleman who acquitted the *Morning Star* of a most frightful and atrocious private libel upon the Marquess Wellesley. This Mr. Isaac Hynes must either have believed the truth of that libel, or he must have violated his oath, and yet such were the first names on this honest and honourable Jury, as it was called. There were eight other persons upon it, all of whom were corporators; and he need not appeal further than to what had taken place in the course of that evening, to show the House, that the corporation of Dublin and he had been uniformly and strongly opposed to each other. He had come in as member for Dublin in spite of them, and, from the most melancholy incident in his life to that of the most satisfactory and triumphant—namely, his return for Dublin—there had not been an occurrence between him and the corporation of Dublin in which he had not been opposed to them; yet it was out of such a corporation the Jury had been selected to try whether the letter published under his name had been a libel! There were two Scotchmen on the Jury, certainly respectable gentlemen; but why should individuals, unconnected with the country, be on such an occasion elected for such a purpose? One of them, he had to remark, was a member of the Kildare-street Society, to which he and his friends had been always opposed; and yet these were the men selected to try this question, and, in support of their verdict, they heard an English gentleman of high character stand up and pledge his honour for its correctness! He would fearlessly assert, that if there had been a fair Jury, they would never have found that publication a libel. The right hon. Gentleman had rather inaccurately stated the tenor of it to the House; there was only one passage in it that resembled what the right hon. Gentleman had represented as its purport to the House. He was ready to admit, that there was a passage in the letter, in which it was stated, that that man would deserve the title of a slave who should say—because he would not believe it if he said it—that justice could be done to Ireland until she had a parliament of her own. He would adhere to that statement. Ireland never would have substantial justice done her until she recovered her domestic legislature. In the letter in question he had called on the Whitefeet to abandon their miscreant outrages; assuring them that it was only by peaceable and constitutional means they could have justice done to themselves, and their unfortunate country. Was it libellous to give them such advice? He had in vain endeavoured to extract from the King's Bench what portion of this publication was deemed libellous by the court. He had asked the Judges there, by making a Motion for an arrest of judgment, to lay down their opinion as to what part of the publication was deemed a libel by them. He had already stated what were the two great features of the publication in question—namely, to show the people of Ireland that they had nothing to expect but from a domestic legislature, and to convince them that it was only by legal, peaceable, and constitutional union they could achieve that object. Now, though he would admit that some of the expressions in the letter might be considered to be harsh, yet he would maintain, that there was nothing in it that could be construed into a libel. He had just said, he had endeavoured to obtain the opinion of the Judges of the King's Bench on the point as to what part of the letter was libellous; but they would give him no answer. They merely said, that the Jury found the publication a libel, and that they were satisfied with the verdict. He knew, when he was writing that letter, as well as any man, that it would be prosecuted if the Government could find the means of subjecting it to prosecution; and, with the knowledge which he possessed on the subject, and fully aware as he was of the extreme latitude of the law of libel, he was sure, at the time he wrote that letter, that no Government could possibly have the hardihood to prosecute it This was his conviction at that time. There was, besides, just at that period a prospect of the right hon. Gentleman (Mr. Stanley), the then Secretary for Ireland—under whose Government, he would remark, there had been more prosecutions against the press than under any preceding one—being removed from that office. He, therefore, thought at the time that the chances were against the Government subjecting that publication to prosecution. He had already stated to the House the composition of the Jury that had tried it. There was his (Mr. O'Connell's) letter tried by a Jury of his personal enemies—tried by a Jury every man of whom had been all their lives opposed to him. The Jury was selected from the panel after the most respectable men had been struck off it. The individual who struck the Jury on this occasion was, be it remembered, an officer of the Crown, removable at pleasure. Who was the officer that struck the grand panel from which that Jury had been taken? The High Sheriff of the city of Dublin. Hon. Gentlemen must know, that no man could be High Sheriff in the city of Dublin who did not pledge himself to uncompromising opposition to his Catholic countrymen. In the 207 names on the grand panel, there were to be found only three Catholics. Now, when the Catholic wealth and respectability that existed in Dublin were taken into account, was that a fair representation of it? There was a large host of corporators in the panel — many of them had been discharged as insolvents, and many of them had been bankrupts. If, as the right hon. Gentleman had told them, the publication in question was calculated to promote sedition and disturbance, he certainly was not the person that would have written it. He had written it, certainly, not under any strong feelings of delicacy on the subject to which it referred, for he had no right to feel them. He had written that letter in the conscientious discharge of a duty which he owed to his country. He felt at the time the madness of slavery on him, and he had said so. He felt that that House, in passing the Coercion Bill— in founding a measure that deprived Ireland of the benefits of the constitution upon the tittle-tattle of the right hon. Gentleman, and upon statements adduced by him without his allowing them the benefits of a Committee to investigate and to refute them—he felt, he repeated, that the House, in taking everything at the mere word of the right hon. Gentleman, and passing such an infamous measure, had perpetrated a gross and crying injustice to Ireland. He should not deserve to be a Member of that House, or a subject of a constitutional Government, if he did not feel indignant at such conduct. He would appeal to every English Gentleman who valued the liberties of his country, to say what would be his feelings, if an Irish Parliament, with five-sixths of it composed of Irishmen, had passed such a law for England? Would not his blood boil within him at the passing of such a measure? He wrote and published that letter under a full conviction of its truth. It was published in both countries. It was said, that it was first published in England, but such was not the fact. He was now sorry that he had not taken that precaution, for, of this he was sure, that no man would have dreamt of prosecuting such a publication in England. It was first published in Ireland. Was it just, then, when it was prosecuted there, that the very men opposed to him should have been put upon the Jury—the very men, some of whom were violent opponents of the policy of the present Government, were selected for that Jury—the very men who opposed them in the elections, and who now had sent a deputation over here to endeavour to obtain from the Sovereign a reversal of their order for the dismissal of Colonel Blacker from the commission of the peace? Did they imagine that carrying the Coercion Bill—that indulging in taunts against the people of Ireland—tended to convince them of the benefit and utility of the connexion of the two countries? His own opinion was, that if those who wished to preserve the connexion between the two countries had not done their duty in giving advice to the people of Ireland, that House would be compelling them, at the moment he was speaking, to seek a separation. They might have a majority against this Motion, as no doubt they would; but let them not suppose that by such a decision the public would be satisfied with a verdict discreditable to the Government, and disgraceful to the administration of justice.

Mr. Secretary *Stanley:* I agree with the hon. and learned Gentleman opposite, the member for Drogheda, that Mr. Barrett is an ill-used man; he is an ill-used man; but by whom has he been ill-used? Not by the Government, but by those — [Mr. *O'Connell* to those around him "Let him alone."] I presume that I am to be "let alone" in this House.

Mr. *O'Connell:* I rise to order. [Loud cries of "Order order."]

Mr. *Stanley:* I say, Sir, that the disorderly interruption of the hon. and learned Gentleman does not become him in the House, in which that hon. and learned Gentleman has the honour to sit. I say that, when I am discharging my duty in the face of the House and the country; and when I am speaking before the hon. and learned Gentleman and the country, as I trust I shall always speak, without fear or hesitation, before his face, I need not the permission of the hon. and learned Gentleman, nor his audible exclamation that I should be "let alone," to obtain a hearing for any observations which I may consider it my duty to make.

Mr. *O'Connell:* I rise, Sir, to order. If I am out of order in what I am about to state, you, Sir, will at once correct me. I rise to explain the reason of the observation which the right hon. Gentleman has attributed to me. It was addressed to two Members near me. In consequence of both of them speaking to me at the same time, I was obliged to raise my voice to them to say, "Let him alone." If I used any other expression, I call on the right hon. Gentleman to state it. If I addressed any observation to him, I call on him to state what it was. My observation was solely intended as a private communication to two Gentlemen near me, and from the cause I have mentioned, I was obliged to raise my voice in order to enable them to hear me.

Mr. *Stanley:* If the House is satisfied, I am sure I am. I have heard the hon. and learned Gentleman in his address to the House, with patience. I only ask the Gentlemen opposite to extend to me a similar degree of patience for the few words which I shall have occasion to address to the House. I say again, Sir, that Mr. Barrett is an ill-used man—but I say again that if he has been ill-used, it is not by his Majesty's Government. It is by those who, fully aware of the legal consequences that would follow their acts, leave him to suffer them—who, fully conscious, as the hon. and learned Gentleman was, that a verdict of a jury awaited such a violation of the law, leaves the unfortunate publisher in that predicament from which one word of that avowal he has made to-night would have relieved him, while he sagaciously secures himself from sharing that vengeance of the law which he had himself originally provoked. The hon. and learned Gentleman has this night proved that he clearly anticipated the punishment which awaited Mr. Barrett, for he has endeavoured to make the House believe that the nature of the tribunal before which he was tried was such that he could not possibly escape, and yet, with characteristic prudence, he has allowed Mr. Barrett to undergo a punishment from which, by simply giving the notice he has given here to-night—"I am the author and publisher of the letter,"—he would have saved him. Mr. Barrett, I repeat, has certainly been an ill-used man, but it is by the hon. and learned Gentleman that he has been ill-used. The hon. and learned Gentleman apologizes for his want of caution in this case; he regrets that he had not sufficient caution to have this publication first made in England. I will ask the House and the country, now that another man is suffering in prison for that which the hon. and learned Gentleman has done, whether, of all the accusations that may be brought against the hon. and learned Gentleman, he can be justly upbraided with a want of caution in this case? The hon. and learned Gentleman tells us, that this case came for trial before a jury of corporators; and he adds—"You know that they have been always opposed to me." Why did he not add, that they were corporators whom he had, by joining with them in pledging "the glorious and immortal memory," thought to conciliate for the basest and lowest of political purposes? I know nothing of the negotiations that may have gone on between him and other parties; I have felt it my duty at all times to watch the hon. and learned Gentleman in all his public steps; but his private political intrigues of this description I did not deem it necessary to mind. The hon. and learned Gentleman says, that the libel was not published in England first, and that it was published in both countries. I now learn, for the first time, from the hon. and learned Gentleman, that the libel did not appear first in England, for I really believed, up to this moment, that its first appearance had been in this country. I will just state the grounds why the Government, with such an impression on its mind, did not institute a prosecution for the publication of this libel in England. We felt that its publication here was so utterly insignificant and destitute of the power of mischief—that it was so incapable of making any impression on the minds of the people of England, and that owing to the paper which the hon. and learned Member had selected as the vehicle for its publication being of such trifling circulation, its diffusion must have been so extremely slight, that there was no necessity for prosecuting it, and that the consequence of instituting a prosecution for libel against it would only be to bring it into that note which it would never otherwise have attained in this country. But, on the other side of the water, the case was widely different. There, as every man knows, the influence, most unfortunately for the country, which the hon. and learned Gentleman possesses over the passions and feelings of the people, rendered this publication, comparatively innocuous as it was in England, pregnant with immense mischief in Ireland. For, though there was no legal proof that the hon. and learned Gentleman was the author and publisher of the letter in question, yet it was known by every man in Ireland who read it, that the advice and the suggestions in it proceeded from the hon. and learned Gentleman, whose dictates were as implicitly obeyed in Ireland as he would seek to have them obeyed in this House and in this country. He says, that the trial took place shortly after I ceased to have any connexion with that country, and he appears to complain of the delay. Now it was not the fault of the Government that that trial was not brought to a speedy issue. No man knows better than the hon. and learned Gentleman that every impediment was thrown by the defendant in the way of bringing the question to trial, and that every possible legal quibble was resorted to by the hon. and learned Gentleman and those concerned with him in the case, in order to postpone the trial. The hon. and learned Gentleman charges the Government distinctly with having packed the jury in this case for the purpose of convicting him—no, not for convicting him—I beg his pardon, for the purpose of convicting the person whom he left to bear the punishment of his faults. Now, my right hon. friend has clearly shown that no such charge is sustainable against the Government. There were originally 207 names on the panel. On the part of the Crown not a single name was objected to until the list was reduced by 159, leaving only forty-eight. Then each party struck off a name alternately, in order to reduce the list to the requisite number. It was done precisely in the same manner that an Election Committee is selected in this House. The hon. and learned Gentleman complained that some names that he wished to retain on the list were struck off, but, in the same manner, might an election agent complain, and with just as much right, that some names he wished to have on a Committee up-stairs had been struck off. No one would think of making such a complaint, still less would any Gentleman come down to this House and endeavour for such a reason to cast a stain upon a Committee up-stairs, asserting that it would not fairly and honestly investigate the subject to come before it. Twelve names in this case were struck off by each party, in order to reduce the list to twenty-four, and then because some names that he wished to retain were struck off, the learned Gentleman makes that circumstance a ground for attacking the conduct of the Government, and impeaching the verdict of the jury. Now I ask the House of Commons in its fairness—I ask the people of England in their candour—to say whether this is an accusation that deserves, I will not say to be considered, but even to be entertained for a moment. The hon. and learned Gentleman says that this letter was no libel, and he tells us that he wrote it in the positive discharge of a conscientious duty. The point as to libel or no libel was cautiously and calmly considered by the law officers of the Crown, not only in Ireland, but in England. The case was brought under their deliberate consideration. They were desired to look at it in all its bearings, with an intimation not to select for prosecution any thing with regard to which there would be the slightest doubt as to the verdict of a jury. With these instructions this letter was referred to the law officers of the Crown for their consideration, and it was the opinion of every one of those so consulted that a grosser or more disgraceful libel never polluted the pages of the public press. The hon. and learned Gentleman says, that no honest man would convict for this publication as a libel. He admits, however, that there were certain passages rather harsh in it—those passages, I suppose, in which he describes this House, though I recollect his having employed still less courteous terms in painting us on another occasion. He tells the people of Ireland in this letter, that this House is animated with an intense hatred to Ireland—that England and Englishmen entertain a deadly hostility to that country, and that it is idle to expect justice from such a Parliament. To be sure the hon. and learned Gentleman introduces the usual advice about peace and obedience to the law and good order, which so frequently, in the learned Gentleman's addresses, accompanies the most exciting provocatives to mischief. He calls upon "his good friends," his "sweet friends," and begs them not to be stirred up—"

"To such a sudden flood of mutiny."

He tells them to bear with the yoke, though it galls them to the neck—to submit to the injustice, though it is crying and apparent—to bear with the oppression, though it is most grievous and burthensome, but in no case to violate the law. Such are the recommendations, and so accompanied, which the hon. Gentleman gives to his countrymen in this letter—recommendations which he has so often addressed to them with similar accompaniments. Now, I put it to any man of common sense in the country, whether he believes that the object of such a production was to enforce obedience to the law or to the Government? The right hon. Gentleman proceeded to observe that it was said, that this letter was well calculated to inculcate obedience to the laws, though it might be harsh in some of its terms; but he (Mr. Stanley) hesitated not to say, that no man—no honest man—could lay his hand upon his heart, and deny that it was a libel on the institutions of the country. The hon. and learned Gentleman had complained of the Jury, and particularly that upon it were two Scotchmen—men who it was urged were unconnected with the country, but who, he must add, were not imbued with Irish prejudices, to the exclusion of two Roman Catholics; and the hon. and learned Gentleman had asked the House whether it could conceive so gross a case of injustice, so gross an instance of partiality, or so complete a violation of every fair principle, as to have on the Jury two Scotch Presbyterians, without one Roman Catholic, to try him, Mr. Daniel O'Connell—no, he begged pardon—to try Mr. Barrett, for this libellous publication? In the first instance, the hon. and learned Gentleman, in November last, while endeavouring before the Court to obtain a postponement of the trial, had then also complained of the manner in which the Jury had been selected; and the question had been solemnly argued before the Court of King's Bench, and the objection raised was set aside by the Court, on the ground that no legal objection had been offered; that the charge of partiality, made merely on belief and suggestion on the part of the hon. and learned Gentleman, was completely refuted, and that, on the affidavits before the Court, the Crown solicitor stood fully exculpated. Such, in common with the full bench, was the decision of the learned Chief Justice, on whom the hon. and learned member for Dublin had passed so glowing an eulogium the other day, and admitted that, against that learned individual, no exception could be taken. The hon. and learned member for Dublin had said, that no honest man could have found the publication in question to have been a libel. He (Mr. Stanley) must, however, remind the House, that the Court upon the trial pronounced no opinion upon the publication, but left it to the Jury to draw their own inference; but when the question as to the matter being a libel or not was raised before the full bench, and when it became the duty of the Court to pronounce an opinion upon it, that opinion, without a doubt in the mind of any one member of the court, was, that not only was the publication a libel, but also that they concurred fully in the verdict of the Jury. Nay, he was convinced, that a very few passages of the publication (with which he most assuredly should not trouble the House) would, on perusal, satisfy every unbiassed and impartial mind, that the Jury and the Court had come to a just and proper conclusion, and that the letter in question was, as alleged in the information, a wicked and seditious libel, calculated to produce the mischievous effects which were attributed to it. Whatever was the character of the publication, the hon. and learned Gentleman had now avowed himself the author, though he allowed another individual to bear the punishment. The hon. and learned Member had declaimed against the unfairness of the trial, but it did not mark much generosity in the hon. and learned Gentleman, that he permitted another person to bear the responsibility. As to the fairness of the trial, he would add, that on the part of the Crown, not a single objection had been taken on striking the Jury, to any name upon the panel, whilst, on the part of the defendant, 160 names were objected to before the list of 48 jurors was completed. Notwithstanding the declaration of the hon. and learned Gentleman, that no honest man could concur in the opinion that the publication was libellous in its character, he (Mr. Stanley) had shown to the House, that not only the law officers of the Crown in Ireland, but also of England, the Jury who had tried the case, and the Judges who had passed sentence, all agreed in the opinion that no man could read the letter and not feel that it was a wicked and seditious libel. He himself had no doubt upon the subject—the only doubt he entertained was, whether the party now suffering the punishment was the individual who ought to be imprisoned.

Mr. *Sheil* said, that the question here was, not as to whether this publication was a libel, but whether the Government had resorted to the proper means of procuring a conviction. He asked, why was it that recourse had been had to means which reflected so much discredit on the Government, and against which the members of the Government professed to be so decidedly opposed when they sat upon the Opposition side of the House? On the present occasion they had not endeavoured to show that the Jury was not packed. This question was not to be decided by the enthusiastic ejaculations of hon. Gentlemen on the other side of the House. No, it was to be decided by facts, and by facts alone. How was the question put—he would not say by the Secretary for the Colonies—but by the ex-Secretary for Ireland? That right hon. Gentleman had not attempted to show the House that the Jury was not packed. He began with an attack upon the hon. and learned member for Dublin; and with an attack upon that hon. and learned Member the right hon. Gentleman concluded. He began by saying, that Mr. Barrett was ill-used; certainly he had been ill-used, but by whom? He found he must here be permitted to adopt what had become an aphorism in the Government of Ireland, and say, "Wait awhile." Had not the Government disinterred a Statute, which had lain buried from 1815, and for no other purpose than of bringing it to bear upon the dearest interests of Mr. Barrett? Had not the Government of Ireland sent an intimation to the Chief Commissioner of Stamps to put it in full force? The Chief Secretary for Ireland wrote to the Stamp-office, not immediately upon the conviction of Mr. Barrett, but three weeks afterwards. The right hon. Gentleman either did this himself, or got some one to do it for him. Well, what was the consequence? Why, Ministers and their agents put into force a law, the extreme tyranny of which they recognised by the admission, that it was a law which ought to be repealed. He happened to have been one of the counsel engaged for Mr. Barrett, and could state, from his own knowledge, that once, twice, or thrice, the party so often alluded to to-night, had offered to avow himself as the author, but Mr. Barrett would not allow him. He could assure the ex-Secretary for Ireland, and his colleagues, that they could not escape from this question by attacking another individual. It was a question which would produce much matter. He did not despair of recalling to the recollection of the ex-member for Limerick (Mr. Spring Rice) those expressions which he had uttered, with so much eloquence, while sitting on this side of the House. It was not by the sympathetic acclamations of a few on the Opposition side, nor (he would not say by the uproar, for that was a discourteous word) by the disinterested assent of the many on the other side, that this question was to be set at rest. He was not surprised that the ex-Secretary for Ireland had taken up so strong a position, as he knew that this charge was, in a great measure, brought against himself. He was willing to give credit to the present right hon. Secretary for Ireland for a desire to do justice to that country; but, as he was not a member of the Cabinet, and could only advise, and not adopt, measures, he must not be looked to as responsible for the policy pursued. During the official career of the right hon. ex-Secretary, a charge, very similar to the present, was made against the Government, in the case of Byrne and Welsh. No Catholic was found on the Jury in that case; and, in 1832, when the Special Commission was appointed, it was alleged, that no Catholics were allowed to sit on Juries in the Queen's County. Upon that occasion, three trials upon tithe questions took place at Clonmel; and, though there were thirty-six Catholics upon the Grand Panel, every one of them was struck off. The charge, therefore, of packing Juries was not new, at all events to the right hon. ex-Secretary, for it was made repeatedly while he was in office in Ireland. In 1833 it was charged against the Jury which sat in the case of the King *v.* Welsh that not a single Catholic was permitted to be upon that Jury. The same charge was now made in the case of the King *v.* Barrett, and he had a right to assert, and did assert, that in that case the Jury was packed. In the first place, out of a list containing forty-eight names, only four were Roman Catholics. This fact had neither been explained, nor denied, by the right hon. Gentleman who had spoken last. He held in his hand the original panel, from which the list of forty-eight names was selected, containing 714 names of individuals, the majority of whom were Roman Catholics; and of these it had been stated, by the right hon. Gentleman opposite, that the officer of the Court went through 207, and no objection had been made on the part of the Crown. He presumed that the right hon. Gentleman was not unacquainted with the manner in which Juries were struck; but to this point he begged to call the attention of the House. The Clerk of the Crown selected the list of forty-eight names, and, this being done, the right hon. Secretary for the Colonies, with a plausibility of manner unmatched in the records of candour, had stated, as a proof of fairness, that no objection had been made by the Crown Solicitor to the list so selected by the Clerk of the Crown. He trusted the House would not be carried away, or influenced, by warm eulogiums upon individuals, from whatever quarter they might emanate; for he was satisfied, when the House came to a sober and impartial consideration of the question, there would be found in the facts ample grounds for demanding redress. He had already stated, that, out of 207 names, the Clerk of the Crown had selected forty-eight names, of which only four were Roman Catholics. He had stopped at the number 207 of the panel, when, if he had proceeded further, he would have found that the names of no less than ten Roman Catholics followed. It should not be forgotten, that the original panel, from which the selection was made, commenced with the names of Members of Parliament, followed by those of the Aldermen and Common Council of the city of Dublin; and it was returned by the Sheriffs, arranged according to civic rank; and from this list the Jury was to be selected, by the Clerk of the Crown, according to the orders issued by the Castle authorities. Such was the panel, the formation of which ought to go to a Committee of Inquiry; and, if this was ventured upon, it would be seen, that the fallacies of previous Governments had been adopted by the present Administration. The list thus formed, then, in course, was subjected to a convenient system of filtration, by the Crown Solicitor, after it had passed from the hands of the Clerk of the Crown. He was sure that the course thus pursued was unknown to the right hon. Secretary for Ireland, who understood the potteries much better than the existing state of Ireland. But, to proceed,—from this list the names of the only Roman Catholics returned (four in number) were struck off by the Crown Solicitor; and, putting all declamation aside, was this just,—was this candid on the part of the Government? The House would judge of the justice and candour manifested, when it was informed, that one of the four names thus expunged was that of a bank-director, who had signed resolutions against the proposition for a Repeal of the Union. It was true, that, during the agitation of the Catholic Question, this mode was pursued as to the impannelling of Juries; but, when that question was settled, the then Attorney-General, under a Conservative Government, Mr. Joy, issued his injunctions upon the subject in terms which he would read to the House. These injunctions were contained in a letter, dated the 2nd of March, 1830, by Mr. Joy, to the High Sheriff of Fermanagh, and were to the following effect:—"As several trials of considerable importance are to take place at the next assizes for your county, and as it is very desirable that no pretence for complaint should arise, the Attorney-General particularly wishes, that you should cause to be summoned a panel of respectable freeholders in your county, Catholic as well as Protestant, without distinction of religious creed or persuasion." Such were the instructions of Mr. Joy, acting under a Conservative Administration; and he begged to contrast them with the course pursued in the present instance, when, out of a list of forty-eight names, returned by the Clerk of the Crown, those of four Roman Catholics had been struck out by the Crown Solicitor. Was this just in a case where the subject matter for adjudication was a publication bearing the signature of Daniel O'Connell, and when such an antagonist was to be overthrown? In conclusion, he would ask,—would the Government be prosecutors and judges in Parliament, and, at the same time, the packers of a Jury in the Court of King's Bench?

Lord *Althorp* said, that he held in his hand the affidavit of Mr. Kemmis, the Crown solicitor, referring to the mode in which the Jury had been selected, and which having been seen by the counsel for the defendant (Mr. Barrett) and used in Court on the occasion, when the Judges had given a decision to the effect stated by his right hon. friend (Mr. Stanley), he would read to the House. Mr. Kemmis, in his affidavit, and of course upon oath, stated, 'That deponent attended on 'the 11th of May before the proper officer 'for the purpose of striking the Jury in the 'cause, when an adjournment took place, 'at the instance of the attorney for the 'traverser, to the 28th of May, on which 'day deponent again attended, and forty-'eight names were selected, upon reading 'each of which, the Clerk of the Crown 'inquired if there was any objection on 'either side to the names proposed. The 'deponent further stated that, to the best 'of his recollection, he did not make any 'objection, though the attorney for the 'traverser made various and numerous ob-'jections, insomuch that 207 names were 'called by the officer, before the list of 'forty-eight names was completed. And 'the deponent further stated, that al-'though many objections were raised by 'the attorney for the traverser, he (the 'deponent) did not insist upon the re-'tention of any name upon the list 'to which any objection was made by 'the attorney for the traverser.' That affidavit which he had read, must be presumed to be a correct statement of what had taken place, and he apprehended that the proceeding which it detailed, could not be called anything like packing the Jury. He had thought it right to read this affidavit, in order that the House might see how far the statement as to the packing of a Jury by the Crown was correct.

Mr. *O'Connell* said, that the affidavit did not state whether the objections made on behalf of the traverser were yielded to by the Crown. The affidavit, in this respect, was most carefully drawn, and studiously avoided such a statement.

Lord *Althorp* said, that many of the objections were not valid or legal. The affidavit, however, stated that "the deponent did not insist that any names to which objections were taken should be retained." The affidavit proceeded further, and stated, that when such objections had been made by the attorney for the traverser and yielded to by the deponent, the consideration of the objections was postponed at the instance of the Crown." The House would therefore see that the Crown solicitor distinctly swore, that the objections raised by the attorney for the traverser were yielded to by him.

Mr. *Roebuck* had a question to put to the right hon. Secretary for Ireland—namely, whether it was true, that, out of 207 names forty-eight were chosen within that number without any objection being made on the part of the accused? If such was the case, there was an end of the question.

Mr. *Littleton* replied that he most distinctly understood such to have been the case.

Mr. *Hume* said, it appeared to him extraordinary, if the list had been struck fairly, that out of a panel containing, as he understood, upwards of 700 names, the majority of which were those of Roman Catholics, so few of that persuasion should have been selected by the Clerk of the Crown. If that officer had selected only four Roman Catholics in a list of forty-eight, it required no reasoning or argument to disprove the fact of existing partiality and corruption. It might certainly so happen that some names might have been passed over by the officer, but he must confess, that after the personalities which had been indulged in upon the present occasion, with the view, apparently, to conceal facts and avoid the real question before the House, it seemed to him the subject was fitting for an inquiry. It was the duty of the Government to see that justice was done; and the question was, had justice been fairly done in this instance? It did appear to him that the very circumstance that there had not been on the Jury a single Catholic, though the majority of the names in the original panel were those of individuals of that persuasion, was amply sufficient to demand an inquiry before a Committee. He knew no other way by which the Government could clear themselves of the charge made against them.

Mr. *Littleton*, in explanation, repeated that it was clear the attorney for the traverser had continued making objections, until the forty-eight names had been obtained, and without any objection being raised to any name on the part of the Crown.

Mr. *Feargus O'Connor* concurred with the hon. member for Middlesex in what he had said respecting personalities; and he thought that the right hon. Secretary for the Colonies had gone away from the whole question, in order to indulge in declamation. The right hon. Secretary for the Colonies had totally lost sight of the question before the House, in his eagerness to heap abuse and calumny on the head of his hon. and learned friend, the member for Dublin. For his own part, he must at once express his conviction, that Mr. Barrett had not a fair Jury; if he had had an impartial instead of a packed Jury, he would not have been convicted. And what had the noble Lord (the Chancellor of the Exchequer) said the other evening with reference to the proceedings, which had since been adopted towards Mr. Barrett? The noble Lord declared the law to be a monstrous one, and one which ought not to exist. What course did he recommend to be taken? Why, he said, there could be no difficulty in evading the law; and this suggestion came from the head of the Government in the House of Commons. He admitted, and he admitted with regret, that the mode in which the question had been met, was anything but fair on the part of Government. The Ministers were careless who suffered, provided they were not to be placed in a wrong light, or their agents called to account for their misconduct. The right hon. Gentleman, the Secretary for the Colonies, had thrown his powerful mantle over the proceedings of the Court of King's Bench in Dublin; he admitted that the right hon. Gentleman was perhaps the most successful defender the Government could have; he admitted, and he deplored the fact, that there was not, perhaps, such another debater in the whole world as the right hon. Gentleman—but he lamented this. Yes, he lamented it, because, whenever the right hon. Gentleman found his argument fail him, and that his facts were deficient, he had recourse to his stores of eloquence, and by their power he drew the consideration of the House away from the subject matter of debate, and threw a gloss over his view of the matter, which often prevailed to their delusion. There was no one stuck more closely to his arguments than did the right hon. Gentleman, when he found that course suited his purpose; but, on the present occasion, he had totally failed, either to make out a case for refusing the Committee, or in making a successful defence for the conduct of the Irish Government. The hon. Member concluded by moving, as an amendment to the original Motion, "That a Select Committee be appointed to inquire into the way in which the Jurors in the case of the King *v.* Barrett were originally appointed, and that they report their observations thereon to the House."

Mr. *Stanley* objected to the Amendment which had just been read, because the hon. Member who proposed the motion having come down to the House with a determination to press for a vote of censure on the conduct of the Government, finding his evidence and his facts far short of the mark to which he had hoped to raise the House, and finding also how utterly unable those who sided with him were to make out any case for censure but that the whole accusation in Mr. Barrett's prosecution fell through—[*No, no, and loud cheers.*]—No, no! Then why alter the original motion?—He repeated, that the hon. Member finding that the accusation would fall through, wished to place the question in the hands of a Committee, and came again to the attack with the amendment now before the House. The Government were ready to meet the original Motion, and he called upon the House to proceed at once to the question.

Mr. *O'Connell* said, that, after all that had passed that evening, the public would be the best judge between them. There had been a great deal of flippancy of assertion during the debate, and, in particular, great flippancy on the part of the right hon. Secretary, in the few words he said for the purpose of avoiding inquiry. No reliance was to be placed on what was gleaned from Mr. Kemmis's affidavit. Why, that very man was an accused party in the transaction, and it was not true to assert, that if Mr. Barrett's attorney had objected to any of the forty-eight Jurors, he would not have been allowed to be upon the Jury. If that had been the case—if Mr. Barrett could have objected with any probability of success—he was ready to prove to demonstration, that if Mr. Barrett could have struck off one of the forty-four Jurors that remained after the four Catholics had been struck off by the Crown, he would have done so. He would not have allowed that violent Corporator Long to have remained on the Jury. He should like to know, whether those who defended the composition of this Jury had pointed out any persons on it by whose characters they would stand or fall. For his own part he had pointed out two Scotchmen; but the right hon. Secretary opposite, the admirable debater, as he had been called that evening, taunted him with pointing out those two persons merely because they were Scotchmen. Now, it was not for that reason; it was because one of these Scotchmen was a great bigot and a Tory, and had belonged to the Kildare-street Society, and to Societies of a like description all his life; the other Scotchman was also a Tory, though he was not so great a bigot as the first. It was for these reasons that he pointed out these two Scotchmen as improper to be on the Jury. The right hon. Gentleman had alluded to another question, and had taunted him with his conduct towards Mr. Barrett. Now, the truth was, that he was the first, after he heard of a prosecution about to be commenced, to write to Mr. Barrett, telling that gentleman to substitute him (Mr. O'Connell) at once in his place, and stating, that his friendship would not be diminished by such substitution. Mr. Barrett's answer was, that he would deliberate. He wrote a second time, and told Mr. Barrett, that the only question to consider was, which of the two was to be prosecuted. Mr. Barrett, in answer to this letter, wrote, that his mind was made up; that the newspaper in question was his property; and, that that property had been increased by his (Mr. O'Connell's) writings in it. Mr. Barrett, in this letter, moreover added, "If they catch you, they will be sure to convict you, and send you to jail for three years, and Ireland can't afford that. Therefore I'll substitute myself for you, and go to jail." Yet, after that, he was taunted by the right hon. Gentleman with being guilty of libel—though he (Mr. O'Connell) could state, that there was no libel in the letter, which a man feeling for his country, and seeing the oppression it suffered, would pronounce to be a crime. He did not mean to say, however, that it was not a libel according to the present state of the law. The right hon. Gentleman was always disposed to make him his victim in that House; the right hon. Gentleman never spared him. But he would tell the right hon. Gentleman, that no one spoke words more like calumny, than those used by the right hon. Gentleman towards him within the walls of the House. He did not exactly know what reason the right hon. Gentleman had for his hostility, but he believed he could guess. With regard to the statements made by the right hon. Gentleman, as having been made by him, he denied their truth. If he had made an address in the language used by the right hon. Gentleman, no Jury would have said but that it was intended to create a difficulty. But the right hon. Gentleman's own note-taker—the note-taker of the Government—was present, and had followed him wherever he went. Yet the right hon. Gentleman came down to that House, and stated what was untrue. If an inquiry were granted, and it bore the right hon. Gentleman out in his assertions, good and well; but if the Government refused the inquiry, he would leave the right hon. Gentleman and his assertions, to the cheers of that House, satisfied that the country would believe, that he was accused wrongfully. This he would say, that to the present moment, the right hon. Gentleman had pursued him (Mr. O'Connell) on every occasion, in and out of the House, with the most unrelenting, bitter, and persevering hostility—a hostility, he was sorry to say, which was too much shared by the right hon. Gentleman's colleagues. With regard to the packing of the Jury, and the assertion made, that Mr. Barrett might have objected to more if he had thought proper, he could say, that he had never addressed twelve men less determined to do justice, than the twelve men who formed that Jury. The impression was so strong in Dublin against the fairness of the Jury, that if any person were to say, that it was a fair Jury, he would be laughed at. He (Mr. O'Connell) admitted, that there were some fair, honest, and upright men upon the panel. There was Mr. Graham, Mr. O'Bryen, Mr. Thomas Farrell, and three others. Mr. Graham was admitted by all to be a highly-respectable man, and he was accordingly the first Catholic ever chosen to be a Bank Director. Mr. Farrell, though not so intelligent as the others, yet was respectable, and he was rich. Yet all these respectable gentlemen were struck out by Mr. Kemmis. If the Government would grant a Committee of Inquiry, as was now asked, he pledged himself to prove this. But that they would not do. He knew they would content themselves with appealing to the passions of the House. He hoped, however, they would consider, that it was a question of importance. It related to the packing of a Jury; and he warned the Government, that by refusing an inquiry into it, they would lead the public into the foregone conclusion, that they already knew what would be the result, and dreaded it. As to the letter itself, he would not say, that some passages in it, taken separately, might not be construed into a libel, but he was convinced, that, taking it together, and as a whole, no honest man would pronounce it to be one.

Mr. *O'Ferrall* regretted the personality with which the discussion had been conducted. If the appointment of a Committee of Inquiry were to be considered as a censure on the Government, he would not agree to it; but if it were merely intended by the appointment of the Committee, to ascertain the truth of the facts stated by the hon. Members who supported the inquiry, he should vote for the affirmation of that proposition. He was in conscience convinced, that if the election of the Jury had been by ballot, and that the six gentlemen whose rejection was complained of, had been members of the Jury, that circumstance would in no measure have altered the verdict of the Jury. He could not, however, but admit, that Juries in Ireland were not generally fairly chosen. In Queen's County, for instance, Catholics were universally rejected. He did not believe, that the Government encouraged such practices, or had any intention that Catholics should be excluded; but he must say, that they appeared remiss in allowing their officers to exercise such a prejudicial and dangerous power. He regretted the temper in which the Motion had been received, and thought, that the question should be decided on its own merits, and without regard to party feeling.

Mr. *Aglionby* said, that the statements on both sides were so contradictory, as to render it utterly impossible to come to a fair and rational conclusion without further information. The only document which could at all enable them to come to a conclusion, was the affidavit produced by the noble Lord, which went to show, that there was nothing unfair in the choice of the panel. Now, was that affidavit conclusive, and did it altogether debar the inquiry which was demanded? But, even though this document was perfectly correct and unquestioned, it still appeared to be somewhat inconsistent and ambiguous. It would seem, that 207 names were called before forty-eight were retained, though it did not appear in what manner that number was retained. If he was to understand, that the traverser's attorney had the unlimited discretion and power to object, without assigning any reason, to any of the names on the panel, and that these forty-eight were called over without his offering any objection, then he would say there was no ground for demanding that inquiry. If the contrary were the fact, was it not right, that the Crown should be freed from all imputation of being parties to such conduct? He owned it appeared to him curious, that out of 207 names there should be only seven Catholics. Was not that a fit subject for inquiry? It was rather extraordinary, that out of the 207 names, the traverser should not, if he had the power, object to more; and he could not help suspecting, that there should be something in the mode of striking off persons from the list with which the House was not yet made acquainted. He had no personal feelings to gratify in the question; he was altogether unacquainted with Ireland, as well as with the hon. Members on the Ministerial side; and he must say, that he was only anxious, that the facts of the case should be distinctly ascertained, and the difficulties with which it was encumbered removed.

Mr. *Lambert* had never shrunk from expressing his sentiments in that House, and on this occasion he must say, that he agreed with the hon. Gentleman who brought forward the Motion, that the practice of excluding Roman Catholics from Juries in Ireland had prevailed to a great and shameful extent; but the question was, not whether that evil had prevailed, or whether that reprehensible practice had been continued, but whether it had actually occurred in the case before the House. He must say, that, regarding the question in a calm and dispassionate manner, he had not heard sufficient evidence to induce him to think, that the House ought to grant a Committee of Inquiry. It was perfectly true, that Committees of Inquiry had lately been granted for all sorts of things; but he really thought, that such concessions did not always add to the respectability of that House, or promote the objects of those who sought for those Committees of Inquiry. In the absence of any facts that would enable him to come to a conclusion on that subject, he was obliged to consider what probable motives the Crown could have for the conduct which had been attributed to it. Would any man tell him, that if any officer of the Crown so far violated his duty as to make a partial selection of Jurors, he would select Orangemen as the most favourable to the Government? If a Government agent were to commit such an act, all he would say, was, that he must be the greatest blunderer in existence. But, admitting that they were not indisposed towards the Government, was it natural that the Law Officers of the Crown should afford them an opportunity of being addressed in one of the most eloquent appeals to the passions and prejudices of party spirit, that was ever delivered in any assembly? The learned Gentleman, on that occasion, departed from his usual practice; he gave up both the case and his client, and made an appeal solely and entirely to the passions of the Jury. But so strong were the facts, so undeniable was the charge, that though he addressed the feelings of the Jury in every possible way, though he wrung every fibre of their hearts, yet their sense of duty prevailed, and they instantly returned a verdict against him. Would any hon. Member say, that Catholics alone would be insensible to the merits of this case, and that they would have returned a verdict of acquittal, on the same proof as that which instantly convinced a Jury of Protestants? He was bound, from what he had observed, being in absolute ignorance of the minute details connected with this question, to say, that it was in vain for the hon. and learned Member to hope to punish the Government in Parliament, because they obtained a verdict against him in Ireland. Was it to be said, that the people of Ireland were so demoralized, that no paper published in that country had a chance of succeeding, of being read and circulated, unless it was constantly filled with sedition against the State, and slander against individuals? He knew perfectly well, that there was a certain portion of the Press in Ireland with which nothing was sacred—which did not regard the most revered institution; and if, from political resentment, it thought fit to attack private life, or hurt the feelings of individuals, it did not hesitate to commit such mischief, and inflict such wounds. He knew, that if such a Press were not checked, it would revolutionize the country from one end to the other. He was not the advocate for curtailing the just privileges of the Press; but he could not help referring, in strong and indignant terms, to that part of it which had poured upon himself, within the last twelve months, every species of calumny, every species of insult and injustice—not for any crime, nor on account of any personal quarrel, for he had none—nor for any moral guilt—but because he presumed to differ in political sentiments from a certain party in Ireland. Those expressions to which he had alluded, those insults, and this gross abuse, conveyed to the minds of all educated men, no other impression than, that they proceeded from the most despicable and miserable malignity. Such a Press so abused, was an intolerable nuisance which must be abated.

Mr. *Lynch* agreed with the hon. Member who spoke last, that the main question before the House was entirely lost sight of; but this he would add, by no one more than the hon. Member himself. The House had nothing to do with the personal quarrels of the hon. Member with the Press of Ireland; the subject was totally irrelevant. In like manner, what had the House to do with the question, whether the hon. and learned member for Dublin ought not to have surrendered himself, and stood in the place of Mr. Barrett. That was a question between him and Mr. Barrett,—between him and Mr. Barrett alone. If Mr. Barrett did not complain, who had a right to complain? At all events it was not a question for the House; and he must deprecate the personalities that had been introduced. They were not finding fault with the Judges who tried Mr. Barrett, or the verdict of the Jury by which he was convicted. The question was, whether Government, having instituted a prosecution, undue means were not taken to procure a conviction. As to the question itself, it consisted of two parts:—first, as to the manner in which the forty-eight names were selected; secondly, as to the manner in which the list had been reduced. The first was the act of the Clerk of the Crown; the second, the act of the Crown Solicitor. The hon. member for Wexford had admitted, that Catholics were excluded from Juries in Ireland, and in the county of Wexford, but would not allow that they were in this instance, although the Clerk of the Crown and the Crown Solicitor were, in both cases, the same. Then, as to the forty-eight names returned, it was notorious, that the Clerk of the Crown was the person to make the selection, and return such number. It was his act, and his act alone. He did make the return, and he included in that return but four Catholics; and he made that return out of a panel of 714, the greater part of whom were Catholics. The question therefore, arose, how did it happen that out of the first 207 names upon the list, there were only seven Catholics to be found? There was, at least, some management in this. The affair was endeavoured to be mystified; and it was said, that the Clerk of the Crown had read over the 207 names in the presence of the Solicitor of the Traverser, and allowed objections; but what sort of objections were they? Mere legal objections; the same objections which the Clerk of the Crown was bound himself to take in selecting the forty-eight names. In fact, he did that in the presence of the Solicitor of the traverser, which he might have done in his closet. The selection of the forty-eight was his act, and his act alone. Was it possible to suppose, that, if Mr. Barrett had the control over the panel as suggested, he would have allowed the names of Mr. Long or Mr. Hines to have remained? They had now done with the Clerk of the Crown. The forty-eight names were to be reduced to twenty-four,—twelve to be struck off by the Crown Solicitor, and twelve by the Solicitor for the traverser. The Crown Solicitor exercised his right by striking off the four Roman Catholics, and two most unexceptionable individuals; the one, he believed, was the Governor of the Bank of Ireland, and the other made a baronet by the present Ministers, but who happened to be liberal men,—men who had espoused the Catholic cause previously to emancipation. And who were the four Catholics rejected? Four individuals of great wealth, great respectability, quiet men,—no agitators. One of them admitted into the close Corporation of the Bank of Ireland. There could have been no personal objection to these men; they must have been excluded because thay were Catholics. This, therefore, was an insult upon the Catholic body which he could not but resent. He asked if a Jury so selected could be considered as unimpeachable on the ground of political bias? He did not mean to question the individual integrity of each member of that Jury; but he put it to the Ministers, and he put it also to the House, whether Mr. Barrett, or the people of Ireland, could have confidence in the decision of such a Jury? He regretted extremely that the administration of the right hon. Gentleman, the Secretary for Ireland, in whose good intentions he placed the greatest confidence, should have been clouded by a proceeding so impolitic and unwise; impolitic and unwise in itself, but rendered still more so by the manner in which it was conducted. It was not originally a religious question; it was unfortunately made so by the manner in which it was conducted. For his own part, he looked upon it as one of the most unfortunate and unpopular steps that could have been taken by Government. It would, he feared, interpose a new and formidable barrier to the healing principle intended by the Catholic Relief Act, the true spirit of which, he was sure, it was the anxious wish of the right hon. Gentleman to infuse into his Government of Ireland. He had fondly expected that, after the Emancipation Bill passed, all religious distinctions would have been forgotten in Ireland; that the pernicious system of setting up one party against another would have been exploded; that Ireland would have been suffered to enjoy the blessings and advantages of religious concord. Five years had now elapsed since that Bill had passed, and he was sorry to say, that religious discord still prevailed, fomented and kept alive by the party opposed to Catholics; for this he would assert, that never was there so great an achievement—he would not call it victory—gained by any people, which was enjoyed with greater forbearance. He still more regretted that advantage should have been taken of that party spirit by a set of men who had hitherto, and at all times, and in the worst of times, to their great honour, voted for its extinction, for the purpose of obtaining the conviction of Mr. Barrett. This prosecution was commenced previously to the accession to office of the right hon. Gentleman. It was a legacy left to him. He wished that the right hon. Gentleman had repudiated the bequest.

Mr. *Littleton* begged to repeat what he had said before, that, although the officers of the Crown had a right to go through the forty-eight names one by one, they had not exercised that privilege on the present occasion. Resistance had been offered by the traverser's Solicitor in many instances, but not by the Solicitor for the Crown. Nay, more; in proof of the liberal conduct of the Government, he would state, upon the authority of an affidavit, by an officer of the Crown, in this prosecution, that, after the forty-eight names had been reduced to twenty-four, and that the Jury had been selected from them, the Attorney for the traverser objected to the name of Mr. J. Blacquiere, upon which the Clerk of the Crown consented to withdraw that gentleman, and substitute Mr. Armstrong in his stead.

Mr. *Barron* acquitted the Government of any unfair intentions in the present case. Certain it was, that parties of the highest respectability had been struck off the Jury lists in Ireland; so much so, that, in the North, not a single Catholic was ever permitted to sit on a Jury. He repeated, that he did not believe the heads of Government had willingly lent themselves to this unfair system; but that their underling dependents were undermining them, and bringing them into disrepute, by their political interference in these matters.

Mr. *Wynn* would not detain the House longer than to express his opinion, that, consistently with his feelings of justice, he could not vote either for the Motion or the Amendment before the House. The Clerk of the Crown had but exercised the discretionary power with which the law had invested him; and had, doubtless, acted conscientiously in the rejection of the four Catholics, as alleged. If Committees were to be continually appointed to inquire into the motives of every discretionary act of public functionaries, that House would be degraded into a species of inquisition revolting to all feelings of honour and independence.

Lord *Althorp* wished merely to say a word with regard to the vote which he was about to give on this question. His determination was to vote, in the first place, against the Amendment, and afterwards against the original Motion, in case it should be put. He did not think there was any ground for appointing a Committee in this case; and, after the affidavits which had been read to the House, the correctness of which could not be doubted, the conduct of the Government officers in this prosecution appeared clear from all suspicion.

Mr. *O'Dwyer* said, that an hon. Member had stated that, if the Clerk of the Crown had reasonable grounds to suspect the four Catholics on the Jury List of being violent partisans, he was perfectly justified in striking off their names. It so happened, however, that such was not the case; for all the individuals, both Catholics and Protestants, whom the Clerk of the Crown had objected to were remarkable for having abstained from politics. On the other hand, two persons, who were suffered to remain were known to have been violent politicians, and even to have themselves published a libel upon that House and Government, when, at a meeting of the Corporation, it was suggested by them to present a petition to the King, at St. James's, instead of to Parliament, who would not bestow attention upon them. This was a libel to the same extent as the very libel upon which they were called, as Jurors, to pass judgment. As to the question, whether Mr. Barrett had been ill-used, he would beg to read a letter which he had received from that gentleman. [The hon. Gentleman read a letter, in which Mr. Barrett stated, that he felt convinced that the prosecution to which he had been subjected was an unjust and partial proceeding, the work of Tory treachery; that the author of the libel had offered to take his place, and stand the brunt of the charge, but that he (Mr. Barrett), considering that that hon. and learned Gentleman's presence in his place in Parliament was necessary to the salvation and preservation of his country, would not permit him to risk his liberty even to protect his own.] This was a noble instance of voluntary martyrdom on the part of Mr. Barrett. He entreated the right hon. Secretary for Ireland, if he was not afraid of inquiry, to support the Amendment before the House.

The House divided on Mr. Feargus O'Connor's Amendment.—Ayes 32; Noes 130: Majority 98.

List of the AYES.

ENGLAND.
Aglionby, H. A.
Attwood, T.
Faithfull, G.
Hume, J.
Kennedy, J.
Potter, R.
Roebuck, J. A.
IRELAND.
Barron, H. W.
Barry, J. S.
Bellew, R. M.
Blake, M. J.
Finn, W.
Fitzgerald, T.
Fitzsimon, C.
Lalor, P.
Lynch, A. H.
O'Connell, D.
O'Connell, Morgan
O'Connell, M.
O'Connell, J.
O'Connor, F.
O'Dwyer, C. A.
O'Ferrall, R. M.
Roe, J.
Roche, W.
Roche, D.
Ruthven, E.
Ruthven, E. S.
Sheil, R. L.
Talbot, J. H.
Vigors, N. A.
Walker, L. R.

SMUGGLING ACT AMENDMENT BILL.] Sir *James Graham* said, though the hour was late, and the attendance of Members then rather thin, yet, as he apprehended there would be no objection to the second reading of the Smuggling Act Amendment Bill, which stood for that evening, he would then move, that it be read a second time.

Captain *Yorke* said, he had an objection to the Bill. It was usual to allow Magistrates to send persons convicted of certain offences to serve on board King's ships, as a commutation of the sentence of imprisonment and hard labour. An objection was raised against the licence granted to Magistrates, on the ground that many convicts were thus forced into the naval service who were rather calculated to injure than promote it. There was some justice in that objection. But, then, the right hon. Baronet would extend his objection to all cases. He thought that was going too far, as thus the service would be deprived of an experienced and hardy class of men, the smugglers. He was of opinion, that a great good would arise by sending convicted smugglers into the navy. Smugglers would make most useful seamen. They were already inured to, and familiar with, the service. At Algiers they were so useful, and behaved so well, that Government discharged many of them. He had another objection, namely, that Magistrates would, in all likelihood, have a reluctance to convict if smugglers, whose guilt was, in very many cases, difficult to be established, were, of necessity, to be confined to hard labour. If smugglers were confined in a house of correction, there was a great chance that they left it more immoral and degraded than when they entered; whereas, if they were sent to sea, they would be of advantage to the country, and return better men.

Sir *Edward Codrington* said, that he could not, from his experience, concur with the hon Member. He should strongly object to making a man-of-war a common prison for felons. The naval service should not be made a punishment for crime. The great object should be to make it more comfortable than that of other employment; and was it the way to do that, to make our men-of-war a refuge for convicts? He did not wish to see the service thus degraded. It should be a voluntary service, and filled with men of good character; and that it could not be, if every flag ship were made a prison for convicts.

Mr. *Hume* would wish to know if men-of-war were not made prisons for other purposes? He maintained, that convicted smugglers, if sent to serve on board King's ships, would return home better men, and be a service to their country; but, if sent to the treadmill, would go back worse members of society.

Sir *James Graham* said, the policy of the Government was, to render the King's service as acceptable as possible. But he did not think that would be the case if smugglers were to be thrust upon it in the shape of convicts, to be confined in flag-ships, which were to be reduced to common gaols. Was it likely that independent and honourable men would be anxious to enter the service if the first object they saw on entering a ship was men in irons? The Government had only a choice of evils; and, after due consideration, they felt it their duty to balance the loss of smugglers, as seamen, against the moral example of making the ships-of-war common prisons.

The Bill was read a second time.

HOUSE OF COMMONS,

Wednesday, February 26, 1834.

Minutes. Bill. Read a first time:—Tonnage of Ships.

Petitions presented. By Mr. Grote, from St. Botolph's, Bishopsgate, for the Repeal of an Act relative to Tithes applicable to that Parish—By Mr. Oliphant, from Perth, for the Amendment of the Bankrupt Laws.—By Mr. Addams, from several Places in Wales, against Tithes.—By Mr. Windham, from the County of Norfolk, against the Consumption of Beer on the Premises where it is sold.—By Mr. A. Johnston, and Mr. Colquhoun, from several Places, against the present System of Church Patronage in Scotland.—By Sir Oswald Mosley, from Clifton Campville, for the Better Observance of the Sabbath; and from the Northern Division of the County of Stafford, for Relief from County Rates.—By Mr. Windham, from Norwich, &c., for Relief to the Dissenters.—By Sir John Johnstone, from a Place in Yorkshire, against a Fine paid upon Bishops Land; and from Scarborough, against any Measure tending to weaken the efficiency of the Church of England.—By Mr. Finn, from two Places in Ireland, for the Abolition of Tithes.—By Sir William Ingilby, Mr. Addam, Mr. Windham, and Mr. Williams, from a Number of Places, against the Malt Tax.—By Mr. A. Sanford, from Somerset, against the County Rate; and from Dissenters of different Places in Somerset, for Redress of Grievances.

Repeal of the Union (Ireland).] Mr. *Finn* presented Petitions from several parishes in the county of Kilkenny, for the Repeal of the Union, and complained that the House did not pay proper attention to the affairs of Ireland.

Sir *Harry Verney* did not think it fair that the House should be told so often that it paid no attention to the affairs of Ireland. The present question had been before the House over and over again, in fact daily, since the Session commenced, to the exclusion of almost all other subjects. He had never seen any inattention or impatience in the House, and therefore he thought it was too much that the English and Scotch Members should every day be told that they neglected their duty. Subjects connected with Ireland had received more attention, and had occupied more of the time of the House, than all matters connected with the other two countries.

Mr. *Feargus O'Connor* said, that, among other things, he was glad to find that there had been a great improvement in the morning sittings; there was a much larger attendance of Members, and a great many promises of relief to Ireland. He trusted that those promises would be kept in the evening. He entreated a patient hearing while he read a letter to the House, received by a friend of his that morning. If the statement it contained did not make out a most strong case for relief, he would never again present another petition, or take up a moment of their time. The letter was from the town of Skibbereen, and was as follows:

Skibbereen, February 19, 1834.

My dear Sir,—I am most happy to hear your health is so much improved. I sit down to detail to you the deplorable state of this town and district. See Mr. Feargus O'Connor, and beseech of him to call the attention of Ministers to the appalling facts that I will vouch for, if necessary. The consequences of misrule are now betraying their sad effects in this unfortunate country. This pestilence is likely to depopulate it; already we have had seventy deaths in this town, in the short space of five weeks—all of the working classes. Labourers, tradesmen, &c. &c., are in a state of starvation. Most of these unfortunate people have not earned a crown since the middle of December. The town is deserted; the shops are closed; all is gloom and dismay; whilst famine and plague are committing sad havoc—with the strange anomaly of the storehouses full of corn, and quantities of butter and pork, poultry and eggs, exporting to happy England. In this sad state of things a public meeting of the landed proprietors was convened, and none would attend—there was one honourable exception, Richard Becher, who subscribed 10*l.* to relieve the starving people. Even the agents of the absentees would not come to the meeting, and it proved a complete failure.

This disease is evidently produced and extended by want of sustenance. I give you one case amongst others:—In one of the lanes a widow, with six helpless young children, was attacked with the malady. The instant her neighbours found she had the cholera, they deserted her. She and the children had been living for the week before on half a supply of cold potatoes. She sunk rapidly. When my medical attendant visited her, it is impossible to describe the scene—the children would not be admitted into a house; and there they were left, with the parent dead beside them, and the children nearly exhausted from want, till we had them relieved. This is only one of the many cases that are hourly occurring about me, and conceive, under such circumstances, the landed proprietors and their agents not even to inquire into such calamity. How rapidly our tithe Magistrates and squireens would assemble, to represent the liberating of an old starved cow out of a pound, and how eloquently they would address the Government for Insurrection Acts and Coercion Bills—but they look on the sufferings of the people not only with apathy, but total indifference.

One only remedy remains—an immediate Poor-law. The country, I repeat, will be depopulated with plague, if it is not speedily enacted. The physicians of the greatest experience never remember, nor do I believe, the history of any former epidemic half so formidable. I have no confidence in the commission on the state of the Irish poor. I believe it is a mere humbug. I depend on the manly statements of our Irish Members, particularly Mr. O'Connor, who, I see (and I am happy to see by the last *True Sun*) is an advocate for a poor-rate. Let him persevere—let him ring in the ears of the English people the sufferings of our poor peasantry, the frozen and callous indifference of the landlords, and let him impress on John Bull that the hand of the tax-gatherer must be put into the pocket of the Irish landlord, to make him feel for the sufferings of his poor and impoverished tenantry. As to tithes, if the Government are chimerical enough to collect them again, what is to become of us?

He thought that a letter such as he had just read, should create some feeling in the House. He had been chastised for saying that the landed proprietors of Ireland did not look with compassion on the sufferings of the people; but was not such a state of things as that he had just alluded to a proof that the people were neglected and starving? He would not mix up this question with the question of Repeal, lest he should thereby disturb the minds of hon. Members; but he would ask, why had they not a Minister in that House to answer his complaints, and to suggest some plan for the relief of the people? There was another fact which he would mention to the House. A short time before he left Ireland, he had dined with a cavalry officer of high rank, and he stated that he had accompanied the civil power by night, in search of a man against whom there was a warrant for murder. They searched forty-three houses, and in thirty-one of them the inmates had not a shred of covering, but were lying in one common mass of misery and nakedness. Was he to be told that the Irish Members should bring forward specific measures of relief while the people were starving, and so much money was abstracted from them in the shape of local taxes? The noble Lord had told them that some of these taxes he had no control over; but had he no control over the 90,000*l.* he had mentioned that morning? Had he no control over that enormous amount of local taxation, or over the vast sums paid for the support of the Church, from which the people derived no benefit? The Government was doubly culpable in the case of the county of Cork; for any loans that had ever been made to it had been honestly repaid; they had given a grant of 10,000*l.* to that county upon one occasion, which had been repaid. He did not blame the apathy of the hon. Members of that House half so much as that of the heartless landlords who were living among them, and would not administer to their wants. There was an old and a vulgar saying, which was applicable to the hon. Members of that House, "What the eye does not see, the heart does not feel for." But in Ireland it was shameful to see the rich man living in luxury while he was aware of the unfortunate state of the people, and paying no regard to their distressed situation. He thanked the House for the patient attention with which it had heard him, and he augured well from the feeling with which his statements and the reading of the letter had been received.

Mr. *Christmas* said, as an Irish Member, he must say that during the short time he had had a seat in that House, he had seen no indisposition on the part of the hon. Members of that House to pay every attention to Irish affairs. He trusted that in a short time a measure would be introduced by which property would be made liable, and the people rescued from the unfortunate state in which they had been represented. The circumstances detailed by the hon. Gentleman might be perfectly true, but he could bear testimony to the promptness with which the gentry had come forward when cholera first made its appearance in Ireland, for the relief of the distress of the people.

Mr. *John Stanley* said, whatever might be the case with the landed proprietors of Ireland, those of England never betrayed any want of sympathy for the poor. The landed interests were always ready to assist the people in their distress. He agreed with the hon. Gentleman in what he had said relative to the large amount of the local taxation, and trusted that some modification in the Irish Grand Jury-laws would be made, by which the people would have some control over the taxation to which they were subjected.

Mr. *Edward Buller* begged to call the attention of the Irish Members to the conduct of the English at several periods when distress prevailed to a most lamentable extent in Ireland. In the year 1826 a subscription was set on foot for the relief of the Irish. It amounted to a great deal, and a considerable portion of it was sent back from the town of Galway, there having been more than ample means to supply the wants and relieve the population, who, before the subscription, were in a very bad state. That circumstance was enough to establish the fact that English sympathies were always alive to the complaints of the poor in Ireland. He denied the charge of inattention brought against English Members when Irish affairs were brought before the House. In the instance of the Motion made by the hon. member for Dublin regarding Baron Smith, out of the twenty-eight Members who spoke on that occasion, only six were Irish; and out of 169 who voted for the Motion, only twenty-nine were Irish. He thought the Irish Members should be more cautious in making such charges when they were not borne out by facts.

Mr. *Jephson* was surprised that hon. Members would condescend to notice the attacks of certain Irish Members from that side of the House. The hon. and learned Member (Mr. Feargus O'Connor) certainly sat in that House as the Representative of one of the largest counties in Ireland, but he did not sit there for the gentry of that county, but in spite of them. They disavowed him as their Representative, and it was not from the hon. Member that the House should take any impression as to the character of Irish Gentlemen.

Mr. *Feargus O'Connor* admitted that he did not represent the gentry, but the poorer freeholders, of the county of Cork. His family, however, were amongst the largest landed proprietors in that county. With respect to the landlords, he had been applied to, amongst others, to use his influence in different parishes in the county, to release the tenants of a certain gentleman from gaol, where they had been sent, he would not say from what motives.

Mr. *Jephson* inquired, whether the hon. and learned Gentleman intended any personal allusion in those remarks?

Mr. *Feargus O'Connor:* Since the hon. Gentleman asks me the question, I certainly do.

Sir *Oswald Mosley* rose to order. Gentlemen should not make that House the arena of their private quarrels.

The *Speaker* said, that he had watched the hon. Members closely, lest any such disposition should arise. He did not conceive that anything had occurred to warrant such an opinion. The hon. Gentleman had been called on for an explanation respecting a public matter, and he was proceeding to give it when he was interrupted.

Mr. *Jephson* said, his question referred to the landlords about Skibbereen. What he referred to arose out of electioneering business.

Mr. *Feargus O'Connor*, under the control of the Speaker, would give any explanation the hon. member for Mallow might reasonably require. He certainly had no hesitation in stating, that he had been applied to, and that subscriptions had been raised in almost every parish in the county to release the tenants of the hon. member for Mallow from gaol, where they had been sent in consequence of being unable to pay claims which were made upon them. He would not take upon himself to say what motives had induced those harsh proceedings.

Petition laid on the Table.

LEAMINGTON PRIORS.] Lord *Eastnor* was extremely anxious to present a Petition to the House, which he had that morning received, from Leamington Priors, against the uniting that town with Warwick, in the exercise of the elective franchise, and praying to be heard by Counsel against the Bill. A Motion for the second reading of the Bill which was to have that effect was first among the Orders of the Day, and therefore he was desirous, before the House took any steps, that the facts stated in the petition should be before it. The feeling in the town of Leamington Priors was extremely strong against the contemplated union; and to show that the fact was so, he would state to the House one or two circumstances. The petition he held in his hand was signed by upwards of 600 rate-payers in Leamington Priors, who paid upon an average above ten pounds a year, and they earnestly prayed the House not to sanction the Bill for uniting Leamington Priors to Warwick in the exercise of the elective franchise. It might by some be considered that such a measure would be a boon to the petitioners, but they expressed their conviction that it would be an injury. Last year there were two petitions presented from Leamington Priors, on the subject of the proposed union. Although the total number of rate-payers rated at above 10*l*. a year was not more than 850, yet

757 of the number had signed the petition against the junction, and only thirty-five rate-payers of above 10*l.* a year out of 850 had signed the petition in favour of the Bill. It was certainly true, that the petition in favour of the Bill had received a greater number of signatures by 415 than the petition against the Bill, but it was proved by investigation that many of those signatures were worthless. These were strong reasons to induce at least caution in the proceeding. It might certainly be said, that the petitioners did not know their own interests, and that the Bill would benefit them; but he would urge in reply, that those chiefly interested in the prosperity of Leamington Priors had succeeded in raising it, in the course of a few years, from a mere village to a flourishing town, and that, therefore, their sentiments ought not to be disregarded. It was necessary that, in considering the subject in reference to the prosperity of Leamington Priors, the House should bear in mind, that that town did not depend entirely upon the peculiar character of its springs and its salubrious situation, but also on the fact, that it was a place of retirement—a place to which persons from the metropolis, and large manufacturing towns could resort, for quietude, and a perfect release from bustle and noise. Now, the petitioners felt, that to vest the town with the elective franchise, especially in conjunction with Warwick, would be to deprive it of one of its important attractions. They felt that the moment Leamington became a Parliamentary borough, many who had taken up their residence in it owing to its quiet character, would leave it, and that, therefore the intended boon would be an injury. He was perfectly aware, that if the projected change was for the public good the interests of individuals must give way; but first it ought to be shown that the measure was for the public good, and that there was no other means of effecting it, but by the injury of individuals. It had been stated, that a great change had taken place in the public feeling in Leamington since last year, but he had the authority of those who had promoted the present petition, to say that they had not found five cases in which any alteration of sentiment had taken place. Besides the present petition was signed by 657 rate-payers, rated at above 10*l.* a year each. He strongly recommended the petition to the attention of the House, and moved that it be brought up.

Petition to lie on the table.

BOROUGH OF WARWICK.] Sir *Ronald Ferguson* rose to move the second reading of the Warwick Borough Bill. He had hoped that, in doing so, it would not have been necessary for him to say one word in addition to those of the mere motion; and he should have preferred that course, for he was anxious to hear, at that stage of the proceedings, if any thing could be urged in a Reformed House against such a measure. He was glad the petition which had been just presented to the House was before it. It certainly was somewhat curious, to find a body of rate-payers professing to be so pure, that they feared the contaminating influence of the elective franchise. He hoped, however, that after such professions the petition would be found less exceptionable than that of last Session. The petition of last Session had stated, that those signing it paid poor-rates to the amount of 47,223*l.* 6*s.* 8*d.*; and then, upon examination, it appeared that the poor-rates for the whole parish of Leamington Priors amounted only to 22,356*l.* Further, to the petition were affixed the signatures of 119 ladies, who were stated to pay in poor-rates 7,882*l.* Also, there was to the petition the signature of Dr. Leeward, a medical gentleman, residing in Warwick, who was stated to pay 46*l.* 13*s.* 4*d.* to the poor-rate at Leamington, while in fact he paid nothing. It was not necessary for him to go further into that petition; and with respect to that just presented, as it prayed to be heard at the Bar of the House by Counsel, against the Bill, he did not feel it then necessary to refer more particularly to it. He therefore moved, that the Warwick Borough Bill be read a second time.

Sir *John Hanmer* said, that although the hon. and gallant Member had expressed an expectation, that no opposition would be given to the Bill, still he could not help rising to declare his astonishment at such a measure having been introduced upon such a foundation. He contended, that the allegations put forth by the Report of the Committee were, in fact, only suppositions, being without the least substantial support or confirmation from the evidence. He did not mean to say that the evidence did not contain some proofs that some irregularities had been practised at Warwick, but he denied that the evidence at all justified the charges in the Report. There was no person in that House more adverse than he was to bribery, and he would willingly do every thing in his power to prevent it; but that was no reason why he should condemn the innocent. In this case bribery had been proved in twenty one cases; and of those cases a moiety had voted for the candidate opposed to the one against whom the Report was levelled. That was a mode of proceeding he could not approve. The circumstances under which his hon. friend had been a candidate ought to be remembered. The family of his hon. friend had long been connected with the town of Warwick, but, after he was defeated as a candidate in 1821, he refused again to stand for that borough, until he received a requisition to do so, signed by some hundreds of its most respectable electors. Therefore it could not even be pretended that his hon. friend had sought to introduce or to practise corruption. He contended, too, that there was nothing to justify the Committee in their Report. Indeed he must say, that the Report, looking at the evidence, astonished him; and he was at a loss to understand how it could have been adopted. He regretted extremely, that an hon. Member was prevented from attending by illness, who would have been so much more able than he could pretend to be, to draw the attention of the House to some of the facts of the case. Since he had entered the House, he had certain papers put into his hands, and with the permission of the House he would make some allusions to them. With respect to that part of the Report which bore upon the Earl of Warwick, he should say nothing. He felt that it might be very well left to rest entirely on its own merits. He would therefore at once proceed to the question of treating. The Report stated, that there had been treating after the testing of the writ. Now, that he denied. There was no proof whatever in the evidence of such having been the case. Treating before the testing of the writ there had been; but, as the case at present stood that was no offence. He, indeed, could wish to see the law altered; and if the hon. and gallant Officer would introduce a Bill to that effect, it should have his support; but still at present treating before the testing of the writ was not prohibited by law. Then a very grave and heavy charge was brought by the Report against his hon. friend. It was asserted, that riot, and confusion, and bloodshed, had been caused by the introduction of the tenantry of his hon. friend. Now, really such a charge ought not to have been made on light or uncertain grounds. He denied its truth, and he contended and was prepared to prove, that it was not at all supported by the evidence. The House would remember, that there had before been riots in Warwick, at an election. In 1831 there were riots, and those riots were occasioned by the Birmingham Political Union. He held in his hand copies of a number of placards, which had been posted at the instance of, or in connexion with that body, and their object was to "rouse," as it was called, the inhabitants of Warwick to rally round the standard of Reform. The hon. gentleman then read two or three of the Bills to which he had alluded. His conviction being, that by effecting the proposed junction, the House would be neither doing an act of justice to Warwick, or of favour to Leamington, he would altogether oppose the Motion.

Mr. *Langdale* thought it was a difficult matter to bring a charge of bribery directly home to a candidate; but if it could be shown, as in his opinion it had been, that a systematic course of bribery had been traced to regularly organized Election Committees, acting in the name of a candidate, that would be found sufficient. It appeared from the evidence, that a regularly organized Election Committee was sitting in the rooms of the very house in which the bribery, in some instances, took place, and, in that house, as well as others, there was a regular system of treating going on. It mattered not to him whether charges such as these were substantiated against Sir Charles Greville, or against any other candidate; it was sufficient for him (Mr. Langdale) that this system of rioting, treating, and so forth, had taken place, in order to establish in his mind the necessity of some steps on the part of that House. The statement made of the conduct of the orange party, and of the pink and blue party, in their efforts to possess themselves of the town, showed sufficiently the nature and extent of the riots, and called for the interference of that House. If it should turn out that they were unable to unite Leamington with Warwick, then the only other alternative they had was, to disfranchise the borough of Warwick altogether. If this were not a case for interference, then he could not say what it was that would justify the interference of the House in any case. Under all the circumstances of the case he would support the Bill.

Sir *John Hanmer*, in explanation, said, the Report of the Committee attached much blame to the riots which took place, and so they did the riots which took place on both sides. He was not there to defend those riots; but, in his opinion, the law, if properly put in force, was sufficient to put them down.

Mr. *Halcombe* did not wish to detain the House, but he felt called upon to obtrude himself upon their attention for a short period upon this very important question. He thought that the great measure of reform had so renovated all the branches of our Constitution, that an end was put to all kinds of corruption. In saying this, he did not mean to deny the right of that House to interfere where a systematic course of bribery and corruption was known to prevail, and take from such borough that franchise of which it was found to be undeserving. But, while he agreed in this to the fullest extent, he called upon hon. Members to look at the situation in which the borough of Warwick was placed. The report stated, that gross bribery and corruption had taken place in that borough; and when they come to inquire, they find that only 21 cases of the kind had been pointed out, and of these, only ten could be attributed to the Committee or the friends of Sir Charles Greville, the other ten having voted the other way; and the whole amount of bribery was 75*l*. 3*s*. 6*d*. He had taken some pains to find out who those persons were; and he found that they consisted of persons in the greatest poverty, who had received 1*l*. 5*s*. each. There was one individual, a person holding land, who received a sum of 9*l*.; but that was as a remuneration for a loss of a considerable quantity of straw, and could not, by any person, be considered in the nature of a bribe. The ten persons bribed, who had voted for Sir C. Greville, were looked upon as those who had completed their guilt. He had looked over every tittle of the evidence, and he would venture to say, that it was not of a nature to substantiate such a case of bribery against the borough of Warwick as would warrant the interference of that House in the way of disfranchisement. Let them look at Liverpool and other great towns, and they would find, not only that bribery had taken place, but that treating, riots, and tumults, had taken place; and yet were they prepared to disfranchise those places? Certainly not. That House had no right to interfere in such a way, unless where an extensive system of bribery had been proved. Were they prepared to disfranchise the borough of Warwick without further evidence? He heard those cheers, and he understood them. He knew that it would be attempted to introduce further evidence; but he was sure the hon. Chairman of the Committee, who had just cheered, was of himself of too delicate and honourable a mind to take any step that was not fully borne out by facts. If riots were to be a ground of disfranchisement, he trusted that hon. Members would turn their eyes to other towns. There was Coventry on the one hand, and Birmingham on the other; but he would allude more particularly to the former, which had been uniformly remarkable for riots fifty-fold more serious than any which had ever taken place at Warwick. Only one word more. If they did go to disfranchise the borough of Warwick, let them not do so upon evidence not taken upon oath. They had a remarkable case in point in the inquiry respecting the borough of Hertford, where an individual who had sworn positively to facts which, if true, would seriously affect that borough, had, on his statements being found to be wilfully false, been proceeded against in the Court of King's Bench, and found guilty of perjury. He could assure the House, that he was not inimical to inquiry into corruption at elections; the principle upon which he went was quite opposed to corruption; he wished that justice should be administered in all cases, and, apologising to the House for having detained them so long, he would not further trespass upon their attention.

Mr. *Tower*, considered that the present was a subject which ought to occupy the serious attention of that House. There could be no doubt but that inquiry should take place into the charges connected with the borough of Warwick. This House was now in a good temper to enter into such charges, and the people of England would not be satisfied unless such an inquiry were fearlessly and honestly entered into.

Mr. *Baring* could not refrain from adverting to the observations which had been made by the hon. member for Harwich (Mr. Tower). The hon. Member had expressed his regret that the hon. Member for Dover had taken so narrow a view of the subject. He (Mr. Baring) believed that what was called, in Parliamentary Debate, an enlarged view of the subject, only meant the view taken by the Speaker, whilst what was termed a narrow view, simply meant the view taken by his opponent. He must confess, that he differed from the hon. Member, and thought that it was he who had taken a narrow, a very narrow, view of the question, whilst the views of the hon. member for Dover were enlarged and enlightened. The hon. member for Harwich seemed disposed to overlook the general results and effects of the present proceeding on the Constitution of the country, and upon the constituency of that House in elections. All the hon. Member viewed, was the effect of the measure upon the individual borough of Warwick. He was not going to trouble the House on this part of the subject, for the hon. Member admitted, that the question, as far as it concerned the conduct of the Earl of Warwick, was put off to another day. He had, however, paused in his enlarged views, in order to throw out some insinuations, which he (Mr. Baring) conceived was not a very liberal mode of meeting the question. Without going into the subject, he should have no hesitation in saying, on the little that he had seen of the case, that, if the House should think proper to proceed on the evidence before it, still there was not a particle of that evidence that could throw the slightest possible slur on the character of that nobleman connected with the borough, no more than it could throw a slur on any Gentleman in that House. There was not the slightest circumstance, looked at impartially, which could authorise any man to put on the books of that House a notice of a Motion to criminate the conduct of the noble Lord. He would, however, reserve himself to meet this part of the subject on a future day. It was alleged, that the corruption practised at the last election for Warwick was of so atrocious a nature that it required some proceedings of that House to punish the guilty persons; and yet, by the measure proposed, the guilty persons were not to be disfranchised, for the intended proceedings were to leave these persons in the possession of all their rights, and merely to add to Warwick the householders of the town of Leamington. What was the case? Warwick had a constituency of about 1,300 persons, and of these only twenty or twenty-one were proved to have taken bribes. This was the utmost. He called upon the House to consider whether they were not laying down a new precedent of a very dangerous nature. They had been told that, as the present was a Reformed Parliament, it must have a new sense of justice, and new notions of right and wrong; but, he would ask any hon. Gentleman, whether a proceeding of this nature and description were consistent with justice? Could it be reconciled to any notions of equity? The House was about to establish the precedent that when any borough, having a constituency of 1,300 electors, should have twenty or twenty-one of them corrupt or bribed at an election, it should be forthwith either disfranchised or be sluiced with some other constituency. Would not this doctrine put it in the power of any twenty people to disfranchise at pleasure any borough in the kingdom? No borough in the United Kingdom in which there were twenty designing men willing to combine to be bribed, could avoid being disfranchised upon this principle In such a case, very soon there would not remain any small borough representation in that House. He begged the country gentlemen to consider what would be the effect of dividing that House between county Members and the Members for large towns, which they dared not touch when bribery prevailed in them. Look at the case of Liverpool. Bribery was there ten times greater than it was at Warwick; and yet the punishment was to be dealt out to the latter place, in which the alleged bribery bore the proportion of only 20 to 1,300. If this were to be the precedent, the House would, at length, be divided between the county Members and the Members for large towns, who would be ready to tear each other to pieces for the ascendancy of their opinions. The precedent the House was about to establish broke up that form of representation which had been so long a part of the Constitution of the country. He looked at the case in the largest point of view, and, certainly, in a much larger than the hon. Gentleman that had just sat down. The doctrine now broached was not only of essential importance to the future condition of the House, but to the whole Constitution of the country. The House was now dealing with the boroughs of Warwick, Stafford, Hertford, and many other cases of a similar description, and if they proceeded thus they would completely alter the whole constituency of the same nature. A noble Lord had brought in a Bill in the last Session to suppress the practice of bribery at elections, but his Bill had not been followed up. Why should not some general measure be brought in which might apply to all places? If, however, the present particular case was to be the measure of a general Bill, he would maintain, that it was impossible that anything could be more unjust. What would the House do with the 1,200 or 1,300 electors of Warwick who had done nothing wrong? He would not take the sense of the House upon the subject, and, therefore, he would not address it any longer or occupy more of its time; but he did beg hon. Members to consider—he particularly begged those who thought the landed interest in danger, in the present distribution of power, to reflect, how much danger they incurred by the present proposed mode of treating small towns, a mode which was neither just nor prudent.

Mr. *Tancred* thought it was impossible for any man, fairly considering the evidence, not to come to the conclusion, that the constituency of the borough of Warwick was so overborne, as not to be able to exercise the elective franchise to the benefit of the country. The great enormity of the case consisted, not in the extent to which bribery was carried, but in the description of persons by whom that bribery was committed. It was well known that the noble Lord who owned the castle was recorder of the borough, and it was proved that the town-clerk, his nominee, had been the prime agent in every corrupt transaction. It was also proved, that several Aldermen were implicated in acts of bribery and treating. Immediately after the election, in 1831, a system of fraudulent rating was commenced, in which the land agent of the Earl of Warwick was engaged, and no less han 128 persons were added to the poor-rates on account of land belonging to Lord Warwick, and shortly before the registration, this land agent, the town-clerk, and an Alderman of the name of Henry Smith, were proved to have met at the Warwick Arms, and to have there men with fictitious receipts for the purpose of creating fraudulent voters. Of these 128 persons, eighteen were not inserted in the registry by the overseers, seventy-eight were rejected by the revising barrister, and thirty-one out of the remaining thirty-two, voted for Sir Charles Greville. The proof of the existence of bribery was, he thought, complete, inasmuch as a check for 8,000*l.* signed by Lord Warwick's land-agent, was presented at the bank by the town-clerk, and it was shown that the money had found its way into the hands of those persons who distributed the bribes. The hon. Member also contended that there could be no doubt that treating and rioting had prevailed to a very disgraceful extent. He was an elector of Warwick, and he had himself been a witness of the destruction of the property of the inhabitants of Warwick by rioters who had no connexion whatever with that borough, but who had been organized and sent in from different parts of the country, armed with tremendous bludgeons, which no one having a regard for human life would have used. The consequence of these riots was, that, in one instance, life was sacrificed. Under these circumstances, unless some change was effected by the House in the constituency of the borough, he should be at a loss to conceive what object Parliament had in view in giving the elective franchise to the people.

Lord *Eastnor* would not enter into the question of whether or not sufficient corruption had been proved in the borough of Warwick to justify its disfranchisement; but, as far as the interference of Lord Warwick was concerned, he hoped the House would not form opinions unfavourable to that noble Lord, until the whole of the facts were before them. It had been stated to the Committee, that Mr. Brown was no longer the steward of Lord Warwick; and his continuing to act in that capacity from the month of November till the month of March, had been occasioned solely by the non-arrival of his successor. Besides, did the House think it likely that the steward of an individual should be engaged in committing open bribery for him. It should be remembered also, that when it was suggested to the noble Lord to make voters, he expressly said, that he would not do so. The hon. Member, prejudging the question, had stated, that Warwick was subservient to the control of the Earl of Warwick. The only control which the family of the Earl of Warwick exercised over the borough was the control of charity and beneficence; and if they were crimes, the noble Earl must plead guilty. In 1804, he was returned o that House under the most honourable circumstances, without any distinction between those who were his father's tenants and those who were not—the whole of the inhabitants having for him the most genuine feelings of good-will. No corruption was practised, nor had jealousy or envy then gathered strength enough to impute it. This favourable disposition of the inhabitants to his Lordship was continued after he went into the House of Peers; and this was to be called borough-mongering. He (Lord Eastnor) had questioned the noble Earl as to the correctness of the return from the overseers, and the noble Earl had stated, in answer, that he had no doubt of its being as free from error as possible.

Mr. *Bolton King* was anxious, as one of the representatives of the borough in question, to address a few words to the House. He considered the proposed measure of disfranchisement necessary, not merely for the purpose of salutary punishment, but as indispensable to the maintenance, in future, of all freedom and purity of election in Warwick. The hon. Member took that opportunity of denying the correctness of a statement attributed to the hon. and learned member for Dover, to the effect that he (Mr. King) had gone to Warwick as the nominee of Mr. Tomes—a statement which he could not otherwise characterize than as fabricated and false.

Mr. *Halcombe* begged distinctly to declare, that he had never uttered such a statement, nor could he have had any grounds for saying so.

Mr. *King* said, that the authority on which he proceeded, was a report of the hon. and learned Gentleman's speech which appeared in the *Mirror of Parliament*, and of which he held in his hand an extract.

Mr. *Halcombe* repeated his denial with some energy, and declared that he was not to be held responsible for any reports which might appear in the *Mirror of Parliament*. *

Bill read a second time.

Disfranchisement of Liverpool Freemen.] The Order of the Day for the second reading of this Bill having been read.

Mr. *Benett* rose to address the House. He could assure hon. Members that he would occupy but a very short time with the statements he should feel it his duty to make. Indeed, if the noble Lord (one of the members for the borough) would say that he did not intend dividing the House at the present stage of the proceeding, he would content himself with simply moving the second reading of the Bill.

Lord *Sandon* certainly did intend to divide the House on the present occasion.

Mr. *Benett* trusted the House would in that case bear with him whilst he stated as briefly as possible the general features and grounds of the Bill. Before doing so, however, he was anxious, in justice to the Government of the country, to make one observation upon an article which had lately appeared in the *Liverpool Standard*, that the measure was brought forward and promoted by the secret instigation of Ministers, and that he (Mr. Benett) was acting throughout the affair as their tool, and for their purposes. He at once disclaimed all such connexion with Government. He had introduced his Bill strictly from a sense of duty, without communicating at all with Government, without having any connexion with Liverpool, and depending only on the support of those who honestly agreed with him on the general merits of the question. He had, on various occasions when the subject was brought on, yielded to Government, and postponed its discussion from time to time, lest it might interfere with the progress of that great measure, the Reform Bill; and it had been repeatedly delayed, till last year, when the House thought proper to appoint a Committee, restricting its inquiries, however, to what had taken place at the late election. That Committee having sat and entered at length into an examination of the subject, made a report to the House, and three to one came to the conclusion that a case had been proved. [The hon. Member referred to the Report of the Committee, which he read at length, for the purpose of showing the origin and the grounds of his Bill.] When he was induced originally to withdraw it, the noble Lord, the Paymaster of the Forces, expressed a hope that he would, after the Reform Bill was carried, proceed with his measure; and the right hon. member for Montgomeryshire (Mr. Wynn) stated at the time that if he had a seat in the House he would give it his support. He was glad to observe that an increasing attention and interest seemed to have been excited in favour of the measure; and he particularly relied on the assistance and co-operation of those who, having always objected to any wholesale measure of disfranchisement, yet professed themselves ready, whenever a gross case of corruption was distinctly made out, to visit it with proper and just severity. Now, the Bill for the disfranchisement of Liverpool was exactly a case in point. The number of persons who had received bribes amounted to 2,661, the unbribed to 992; the registered householders under the Reform Act amounted to 8,800, and those who had not registered to 3,627. He had never heard of bribery so gross and so wholesale as that which had taken place at different elections for Liverpool; and he had never heard of a case in which men were so loath to vote without receiving a consideration for their votes as they were at Liverpool. He called on Parliament to restore the Constitution and to disfranchise those freemen, because they were corrupt, because they were not independent, and because they were bought and sold like cattle at every election. He referred to the evidence given by John Atkinson to prove this assertion. The evidence of Atkinson proved, that he had given a man 50*l*. for his vote—that the man was reluctant to take it—but that he was induced to take it by his wife, who told him to look at his dear children. The poor man seemed infinitely distressed by this appeal, but at last consented to vote as he was desired. He put on his coat in great agitation, and, on going to the hustings to vote, he turned to the witness and asked him for whom should he vote, having forgotten the name of the candidate in whose interest he was brought. He was reminded that it was Mr. Denison; and, in consequence he voted for that Gentleman. Mr. Denison thanked him, and offered to shake hands with him; but the poor man replied, "No, Sir, though I have given you my vote, I cannot consent to give you my hand." He wished to rescue these poor men from this species of corruption. He wished to save them from this sin and misery—for a deep sin it was in those who received the bribe, and a deeper still in those who offered it. Though he was satisfied that no bribery had been offered at the last election with the privity and consent of the noble Lord, he was still satisfied that bribery had been committed there. The evidence of the witnesses had established it, and the House depending upon the veracity of their evidence, had agreed to the second reading of this Bill last Session. He would not detain the House any longer, but would now move the second reading of the Liverpool Disfranchisement Bill—a Bill which the House was bound to pass, if it intended to follow up the principle of the Reform Bill.

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* See Hansard, (third series) xxi. p. 159.

Mr. *Rigby Wason* seconded the Motion, and was sure the House would agree, and particularly the noble Lord opposite, that if upon this occasion, he did not follow his usual custom of brevity, it was to give the noble Lord an opportunity of rebutting the statements he should make with respect to individuals of whose conduct the noble Lord might be informed, and that any other friends of theirs in the House might have the same opportunity. He should show indisputably from the evidence which had been laid before the Committee, that the mayor, town-clerk, and others of the corporation of Liverpool were men unworthy to be believed. It was a strong accusation; and if he did not satisfy the House that he was justified in making it, he was ready that the odium which always attached to false accusations should rest with him. He made no accusation against the gallant General who had long represented the town of Liverpool. He would first take the case of the town-clerk, who, it was clearly and indisputably proved—

Lord *Sandon*. Does the hon. and learned Gentleman make his charges against these two Gentlemen the grounds on which he supports the Bill for the disfranchisement of all the freemen? If he does not, is it right that the characters of two respectable gentlemen should be attacked when they cannot defend themselves, and when it is unnecessary to the success of the Bill?

Mr. *Rigby Wason* should expressly confine his observations upon those gentlemen to the point of showing the justice of the case, and if he should happen accidentally to make use of the word "perjury" in the course of his speech, he begged to be excused. He would first state the case of a man whose name was John Robinson, the captain of a merchant-vessel, who was desirous of retiring from that line of life, and of obtaining the office of landing-waiter in the Customs, at Liverpool. His wife being possessed of some small property in her own right, appropriated 400*l.*, part of that property, for the advancement of her husband. Having agreed with Mr. Roger Leigh, a partizan of General Gascoyne, for the place, she gave the money, in the month of October, 1818, to her husband, and his brother, Mr. Charles Robinson, by whom it was paid to Mr. Thomas Foster and by him paid over again to the treasurer of General Gascoyne's election fund. Robinson being unwilling to part with so much money without getting a receipt, refused to give the money unless Foster agreed to give a receipt. Accordingly he appointed an interview the next day at his office, and, after some conversation, gave a receipt, expressing it to be "for a purpose understood between them." There was no misstatement; they would find the transactions stated in page 124 of the evidence. In the course of the year 1819 the husband of Mrs. Robinson was appointed, not a full landing-waiter as he had expected, but an assistant only. However, he died in eleven weeks after his appointment. Upon the death of her husband, Mrs. Robinson applied for a return of the 400*l.*, first to Mr. Roger Leigh, and afterwards to Mr. Thomas Foster, who "behaved as a gentleman," and "promised to do all in his power for her." In consequence of this application, Mr. Pennington, the clerk of Mr. Foster, was directed to wait upon Mrs. Robinson. He was told that he would receive a sum of money, and was also told what he was to do with it; and finding the sum of 100*l.*, in a cover directed to him, lying on his desk in Mr. Foster's office, he carried it to Mrs. Robinson. Mrs. Robinson having refused to accept this money, Mr. Thomas Foster informed his clerk that he would receive another sum; and Mr. Pennington, accordingly did receive a sum of 200*l.*, which in like manner, he tendered to Mrs. Robinson, and which she accepted. The receipt which had been given by Mr. Foster for the 400*l.* was then delivered to Pennington, who immediately destroyed it, and informed Mr. Foster of what had taken place. His instructions were to obtain and destroy the receipt. An attempt was made during the inquiry to give to this transaction the colour of an ordinary election subscription. This, however, was distinctly denied by Mrs. Robinson, who said, that the money was not subscribed to the election; it was a regular purchase." But surely it would not be believed, nor would the House be credulous enough to believe, that Mr. Foster could have had an interview with three parties in his office, and at the time be ignorant of the purpose for which he received this money? He appealed fearlessly to the House to judge of those facts as they found them, and without prejudice or partiality. He begged most distinctly to say that neither then nor on any other occasion had he been a party to this transaction. There was an evident contradiction between the words of the Mayor and those of another individual witness; and of the two he preferred the evidence of the latter. He appealed to the hon. Member who was counsel for the corporation, as to the mode in which the first question he should have to refer to was put to the Mayor. He asked that hon. and learned Member why he did not draw forth from the Mayor a direct denial, rather than the answer elicited by his mode of putting the question. The Mayor was examined, and stated, that he canvassed for Sir Howard Douglas, and that he never was applied to for money or drink, or any description of bribe whatsoever. Now in contradistinction to this, he would place the evidence to which he referred.

Dr. *Nicholl* begged the hon. Member in alluding to the counsel conducting the case, would not designate him by any term which would imply that he had not done, or that he had overstepped the boundaries, of his duty.

Mr. *Rigby Wason* wished it to be understood, that he did not make use of the term "the learned counsel" with the view supposed by the hon. Member; but if the hon. and learned Gentleman disdained the title of counsel, he would not again apply it to him. The hon. Member proceeded to read the evidence he designed to contrast with that of the Mayor. Mr. John Downey had stated, with reference to the election of 1827, that he treated from 100 to 200 freemen at that election; that they had "refreshments of every description, cold dinners, suppers, and breakfasts—everything." This lasted four or five days, and the men were treated after they had voted in the same manner as before? He contended, that the Mayor should have been questioned most distinctly as to his participation or not in these transactions. Was it not he who gave instructions to Downey to proceed in this manner? It was stated that, by the orders of Mr. Alderman Wright, those things were done. Mr. Lawrence, the brewer, too, was active on Potter's behalf. It was told the voters that they should have for their votes "what was going," viz., from 1*l.* to 5*l.* The sums varied as the election proceeded. The witness, however, did not see them receive the money. Upon all these facts, he contended, that he had sufficiently shown that the Mayor was cognizant of the bribery practised. He would ask the House, whether it was not as plain as the sun at noon that the Mayor was cognizant of all this corruption? How, indeed, could it be otherwise, when it was only through the corruption in that quarter that bribery became the fashion in the borough. He would proceed to read a statement which would, he was satisfied, prove to the House the abundant existence of corruption in the conduct of electors in the borough of Liverpool. If it did not, he should be quite satisfied to relinquish the second reading of the Bill. The noble Lord (Sandon) knew, that he alone had stood in the gap at the disgraceful election of 1830—that election which the hon. member for Newark had very properly said, had entailed eternal disgrace on the electors of Liverpool. In 1827, the number of freemen bribed at the election for Members of Parliament was 1,833; in 1832, 1,748; and 1833, 1,611. That showed bribery by wholesale.—The hon. Member again referred to the evidence, in order to show that the amount of the sums paid in bribery had been very great. The hon. Member read the following extract from the report:—"From this book an analysis was made by Mr. Pennington, of the voters for Mr. Ewart who had received bribes at this election, and of the amounts paid them. The following is the result:—

600 freemen received	£10 and under.
462	between 10 and 20.
209	20 and 30.
24	30 and 40.
7	40 and 50.
1	60.
1,303	

"And, according to the same document the sum paid for votes by the friends of Mr. Ewart, was 19,603*l.*, and the average price per vote 15*l.* The wholesale nature of the bribery at this election, is well illustrated by the evidence of some of the canvassers. Mr. Thomas Taylor states that, out of fifty or sixty men whom he himself took up to the hustings, there was only one man who was not bribed; and that, in his district alone, between 700*l.* and 800*l.* were spent in direct bribery." He must add that the extent of disfranchisement under the Bill before the House would not be nearly so great as was supposed. At the election in 1833 the number of freemen who voted and were not bribed was, 1,748, and, of these no less than 1,451, were registered as ten-pound householders, so that only 297 innocent men would be actually disfranchised. That number was the result of the calculation of the corporation officer, in his opinion, not 100 innocent burgesses would be disfranchised by the Bill. In conclusion the hon. Member said, that he gave his most cordial support to the Motion, and he hoped the House would read the Bill a second time, for by doing so it would show that a bribed and corrupt constituency was not beyond the reach of a Reformed Parliament.

Dr. *Nicholl* thought, that a very few words would explain away the charges which had been urged with so much vehemence, and he must say with so much absurd acrimony, by the hon. Member. When the subject was last before the House, as well as on the present occasion, the hon. Gentleman said, that Mr. Wright did not dare to answer the questions put to him. But he recollected that in the last Committee, a question was put to Mr. Wright as to the former prevalence of bribery at the elections in that town, when the nominee for the petitioners objected to the question, on the ground that the Committee were not called upon to go into that subject. He was satisfied that a careful reading of the evidence would completely exonerate Mr. Wright from the charge brought against him and he thought, that it was of great importance that the character of a functionary like the Mayor of Liverpool should be relieved from such imputations as had been thrown out against him. He denied altogether the allegation of the hon. Member as to the extent of corruption in Liverpool, or that 2,000 persons ever received bribes. He contended that the evidence given as to that matter did not in the slightest degree warrant the inferences which the hon. Member had drawn. He had never denied, and his noble friend (Lord Sandon) had never denied, that great bribery prevailed in the election of 1830. They all admitted the fact and the House was cognizant of the corruption that took place at that time as well as in 1827; but the last Committee which had been appointed by the House on the subject of the elections at Liverpool was not directed to investigate the extent of bribery which prevailed at those elections, but was appointed to inquire whether corruption had prevailed since the election in 1830. Now he would venture to say, that it had been clearly established by the evidence taken before that Committee that in the five last elections, namely, two for Mayors and three for Members of Parliament, no bribery prevailed, unless those isolated cases were excepted which it was stated had been proved before a former Committee. The amount of money stated to be distributed was said to be 48*l.*, and from this it was admitted that 14*l.* should be deducted. It appeared that this money had been distributed to working men who had lost a day's or half a day's work in order to vote. Now, he would venture to say, that it was perfectly notorious that, in every constituency in the country, wages on the day of election were given to those men who voted for the candidate supported by their masters, and they were not expected to work. In conclusion he trusted the House would reject the Bill as uncalled for and inflicting unmerited punishment.

Lord *Sandon* had no wish to take up the time of the House unnecessarily; but he felt anxious to make a few observations in reply to the various charges brought against the freemen of Liverpool. The hon. and learned Gentleman (Mr. Wason) went out of his way to make an unprovoked and unwarranted attack on two most honourable individuals, whose characters had hitherto stood unimpeached. The hon. Member had not the excuse that what fell from him had been occasioned by the heat of debate, as the hon. Member had not spoken in reply. That, however, was a sample of the feeling which had prevailed during the last two years on the subject. He was surprised that the hon. and learned Gentleman should have gone out of his way to make attacks on the characters of such honourable men as Mr. Wright and Mr. Foster. The hon. Gentleman talked as if there were no manner of doubt that the Town Clerk and Mayor had been proved to have been actually engaged in acts of bribery; but he hoped that the House would not go away with the impression that evidence taken before the Committee bore out the inference which only the hon. Member had drawn. He would shortly address himself to the observations of the hon. member for Wiltshire, of whom he had nothing to complain. That hon. Gentleman had not indulged in exasperating language or sweeping accusations, but had made the statement which he felt himself called upon to address to the House in a way worthy of his high character. Unfortunately the hon. Gentleman was the chairman of the Election Committee of 1830, and was directed by that Committee to bring the case under the attention of the House. When, however, the hon. Gentleman got once engaged in the subject, it became a favourite matter with him, and he had persisted in urging it to a conclusion. He however, thought that his hon. friend had before that time felt reason to regret the course he had taken and had so long persevered in. Before he proceeded further, he would allude to an observation of the hon. member for Ipswich. That hon. Member asked whether bribers should be exempted from punishment? He was ready to answer, "Certainly not;" but the Bill before the House would leave the really culpable parties, namely, those who had given bribes and promoted corruption, unpunished, whilst it was proposed to take the elective franchise from the miserable victims who would no longer consent to be bribed. The large towns were naturally desirous of having the privilege of returning Members to Parliament. The possession of the elective franchise was considered by them as an honour, and the privation of it a disgrace. The hon. Member for Wilts thought that, notwithstanding the measures which had passed that House on the subject of the elective franchise the hon. Member was bound to proceed with his Bill; but he must say that he entertained a very different opinion. The House, having gone into the inquiry, surely could not now refuse to take cognizance of the result of that inquiry; and if it were to act upon the investigation which had taken place he did not see upon what principles they could pass a measure such as the one under consideration. There were two paragraphs of the Report of the Committee which the hon. member for Wilts had brought under the notice of the House. The one stated that during the period which intervened from the 28th of May, 1831, to the 8th of July, 1832, two elections had taken place in the borough without any act of bribery having been committed; and the other described the beneficial effects which the suspension of the writ had produced. Since the transaction implicating the burgesses, there had occurred two elections for the office of Mayor, which had also been inquired into without anything like bribery having been proved against the voters; and although these elections differed in many respects from elections for Members to serve in Parliament, yet, if purity was found to exist in them there could be no reason for supposing that corruption would exist in the other. The hon. member for Wilts had asserted, that the Committee were of opinion that a great deal of bribery took place during the election of 1832. He denied, however, that the fact had been proved. Some cases of bribery might have occurred, but he was prepared to show that they were not numerous. The charge of bribery on that occasion could not affect more than from ten to twenty freemen out of 850; and he would ask any hon. Gentleman present who felt it to be his duty to protect the interests of his constituency, and defend the rights of the electors, whether, upon such evidence, they would be justified in disfranchising this borough, and giving currency to an opinion that the rights of freemen were held upon a more feeble and insecure tenure than the rights of other classes of voters? The object of the Reform Bill was to preserve vested rights, and that House was now asked to take a step that would, in his opinion, amount to a clandestine surrender of the vested rights of the freemen of Liverpool. He must say, that such a proceeding would be wholly unworthy of the feelings which ought to actuate the present Parliament. The hon. member for Wilts had said, that the course which he had taken was usual in cases of this description, but on this point he differed from the hon. Gentleman. With the exception of Grampound, he believed a very opposite course had been taken, in reference to those boroughs in which corruption had been proved. Instead of disfranchising them, the number of the constituency in each case had been increased; and a disfranchising measure like the present never could be necessary for Liverpool, where it was proved, an end had already been put—by the enlargement of the constituency—to that corruption which had formerly prevailed. It would be manifestly unjust that the innocent as well as the guilty should be punished; and when they found, that a single case of corruption had not occurred during the recent elections in that borough, it was not too much for them to infer, that the abuse had already been corrected. At all events he must say that, with the evidence before them, they had no right whatever to go into transactions which had taken place previous to the Reform Act. And, moreover, if punishment were to be inflicted, it should fall on the tempters as well as the tempted, and the rich should suffer equally with the poor. The Reformed Parliament had heard much about the rights of the people; but he would ask, whether taking away the suffrages of the poor, and conferring them upon the rich, for the purpose of ensuring the return of a particular candidate, would be an act of justice, or in keeping with the professions which that House had so repeatedly made to the country? He had never been an advocate of corruption, and when the charge of bribery against the borough of Liverpool was first brought forward, he admitted, that if it were established, it would be the duty of that House to apply a remedy to the evil with as little delay as possible. He would not screen those voters who had been guilty of bribery from the punishment they deserved; and he begged the House to believe, that he defended only those whom he knew to be pure. He rested their vindication upon the result of an inquiry into the particular cases, which had been satisfactory to his mind. He therefore would oppose the Bill to the utmost, and would move as an amendment "That it be read a second time that day six months."

Mr. *Rotch* hoped the House would hear him for a few moments, while he repelled an attack which had been made on an hon. friend of his, who was not there to defend himself. He knew that Gentleman well, and a more just, honourable, and worthy individual did not exist than Mr. Wright. He was inculpated in a grave charge for seeking to induce a person named Downey to espouse the cause of Mr. Porter, during his contest for the Mayoralty of the town. The charge was not borne out; and he regretted the hon. member for Ipswich should have made himself a party to such a charge. Never was the "ridiculus mus" better exemplified. The accusation must fall to the ground. He regretted the case of the borough was confined within such narrow limits; it should have been taken upon its broadest scale. There could be no doubt but that bribery and corruption had prevailed in Liverpool, to a great and disgraceful extent. It was as clear as day that the freemen were in the habit of openly selling their votes. He remembered in 1827, that the Quarter Sessions were put off for an entire week, in consequence of the election of Mayor then going forward. The noble Lord had said there was only an item of 48*l.* for bribery in the Report which he had held in his hand. True there was that item, but then there were also sums stated to the amount of 20,000*l.*, 30,000*l.*, and 40,000*l.* the price of the votes of the freemen of Liverpool. At most, however, it would not now be entirely disfranchised, and the House was called upon by the Bill to deal most moderately with the freemen. They certainly would be disfranchised as freemen, but then they might fall back upon the franchise which they had acquired under the Reform Act.

Mr. *Hodgson* said, that he should oppose the Bill on the broad and plain ground, that having settled the constituency of Liverpool under the Reform Bill, they should not interfere and disturb that arrangement, unless it was shown that there had been some subsequent occurrence to justify them in doing so. No such occurrence had been brought to light, and he therefore should vote for the Amendment of the noble Lord.

Mr. *Hesketh Fleetwood* said, that having property in the county in which Liverpool was situated, and being well acquainted with the circumstances of that county, though perfectly unconnected with the parties chiefly interested in the Bill, he was desirous of stating the grounds upon which he felt the present case ought to be decided, sincerely wishing, as he did, to see it divested of those party and personal feelings, which appeared to have so carried away the course of the present debate from the true question before the House. He hoped, in making the few observations with which he felt it his duty to trouble the House, that they would bear with him while he confined himself to the simple task of saying a few words for those who had not many advocates in that House; and that if he had not the tact to express as concisely as older Members might, the remarks he had to make, they would, he trusted, remember, that that must come from experience and practice, but it would be his earnest endeavour to occupy as little of their time as possible. There never was a case more truly founded in justice than that of which he was then the humble but sincere advocate; independently of which there were many reasons, on the score of expediency, which alone ought to have prevented such a Bill being at present brought forward. Let them look, in the first place, at the justice of the present proceeding. That was the first Reformed Parliament, and though he did not then see on the Treasury Bench the Ministers upon whose responsibility the measure of Reform was introduced, yet he trusted, that they would not be parties to nullifying the great Act to which they owed their Ministerial existence. It was one which conferred upon numerous and wealthy masses of men the benefits of being represented, and it annihilated in a great measure nomination—it gave representation to those who were justly entitled to that privilege, and abstracted it from such as possessed no claims—it was that, or it was nothing—that was its great pretension; and small must be considered its performance, if it failed in that. Let it then have a fair trial. It professed to punish the guilty. Liverpool, if guilty, was so before the Reform Act was introduced. Why acquit that town, by then passing it over, and now falsify their own act, when the great boast of the measure was, that it inflicted punishment for the past, and afforded security for the future. He would not delay the House by calling their attention to the several Reports, as they had already been noticed by the noble Lord the member for Liverpool, though at a loss to discover how they could bring in a Bill to disfranchise a whole class, notwithstanding that the Report which surely ought to be the only ground of legislation, had declared that the bribery was not extensive or systematic. In considering the present measure, the House should, however, bear in mind that all proceedings of that sort were in the nature of bills of pains and penalties, and assumed much of the character of a judicial proceeding. Would the House condemn a whole for the guilt of a part? An authority often quoted in that House—he meant Mr. Burke, of whose wisdom alike the youngest and the most experienced availed themselves—Burke had said: "You cannot prefer a bill of indictment against a whole community." This remark of that eminent man had grown almost into a proverb; and let it never be forgotten that the body against whose rights the present Bill was directed, actually were numerous enough to be called a community, and were at the same time so poor, as to deserve the especial protection of the legislature; for, in this land of freedom and equal rights, the law was "no respecter of persons"—all men were alike entitled to its fostering protection. He wished that the present Reformed Parliament would condescend to derive something from the wisdom of their ancestors—even from times not long gone by — times which cordially responded to the truly constitutional principles so eloquently uttered by the older and the greater William Pitt—times which, with all their faults, had as much respect for the rights of the poor as could be found in the boasted enlightenment of the nineteenth century—times which, at least, had the virtue to feel "that the rights of the poor are as precious in the eye of the law, as the proudest privileges of the rich: the poor man's cottage is his castle; the winds may sweep around it; the rain may penetrate its imperfect shelter, but the highest noble in the land may not, with impunity, lift even its latch, or tread with offence upon the hem of its owner's garment." Quoting from memory, he professed not to give the exact words, but the sentiment should be ever present to the minds of British Legislators. His Majesty's Ministers had legislated so as to give increased power to the interest of a mere middle class—taking away influence from many who had large stakes in the country, and refusing to impart any privileges to the opposite extreme of society—in each of whom he fully believed, and he was not alone in the opinion, that as great an amount of public spirit, and as large a proportion of the national energy were to be found, as in the favoured class of the Reform Act; an Act that, speaking generally, had stricken the poor voters to the earth; it was, to say the least of it, bad enough in that respect, whatever it might be in others, and let them not make bad worse, by saying to the people of Liverpool, "We will punish the innocent and the guilty without discrimination—we will make one class, (the middle class, every thing; the operative and gentleman nothing. We will give our assent to a Bill, which, however it may in its preamble profess to punish bribery, does, in fact, allow the weight of its vengeance to fall not on guilt but on poverty."

Mr. *Handley* said, that he had been a member of the Committee, and he thought Mr. Foster had given his evidence in the frankest manner possible. He regretted that the hon. member for Ipswich should have taken this opportunity for making an attack upon that Gentleman's character.

Mr. *Thomas Gladstone* defended the present Mayor of Liverpool and Mr. Foster from the attacks which had been made upon them. There were no names in Liverpool which stood higher both in point of integrity and respectability, than the names of those individuals. He strongly deprecated the language which had been used with regard to them.

An *hon. Member*, who had also been a member of the Committee, bore his testimony to the frankness with which Mr. Foster gave his evidence before them.

Mr. *John O'Connell* supported the Bill, on the ground that the existence of general and extensive corruption had been proved in the borough of Liverpool.

Mr. *Benett* briefly replied. The hon. Member said, that the cause which had been placed in his hands, had the support of most respectable individuals in Liverpool, who were only anxious, in seeking this measure, to secure the purity of election in that borough.

The House divived on the Amendment: Ayes, 38; Noes, 190—Majority 152.

Main question agreed to, and Bill read a second time.

List of the NOES.

ENGLAND.

Aglionby, H. A.
Astley, Sir J.
Attwood, T.
Bainbridge, E. T.
Beaumont, T. W.
Barnard, E. G.
Bewes, J. B.
Biddulph, R. M.
Bish, T.
Blackburne, J.
Bouverie, Hon. D.
Blake, Sir F.
Blount, Sir C. R.
Bolling, W.
Boss, J.
Briggs, R.
Brocklehurst, J.
Brodie, W. B.
Brotherton, J.
Buckingham, J. S.
Buller, C.
Bulwer, H. L.
Carter, J. B.
Cayley, E. S.
Chichester, J. P. B.
Clive, E. B.
Collier, J.
Cotes, J.
Crawford, W.
Crompton, J. S.
Davies, Col.
Dawson, E.
Divett, E.
Donkin, Sir R.
Dundas, Capt.
Dundas, Hon. J. C.
Dykes, F. L.
Ellice, Rt. Hon. E.
Ellis, W.
Etwall, R.
Evans, W.
Evans, Col.
Faithfull, G.
Fenton, J.
Fielden, J.
Fielden, W.
Folkes, Sir W.
Fort, J.
Fryer, R.
Gaskell, D.
Gisborne, T.
Glynne, Sir S. R.
Godson, R.
Gordon, R.
Goring, H. D.
Grant, Right Hn. R.
Grey, Hon. Col.
Grote, G.
Guest, J. J.
Hall, B.
Handley, B.
Hardy, J.
Harland, W. C.
Heneage, G. H.
Heathcote, J.
Hill, M. D.
Hodges, T. L.
Hoskins, K.
Hume, J.
Hurst, R. H.
Hutt, W.
Keppel, Major G.
King, E. B.
Kennedy, J.
Langdale, Hon. C.
Lefevre, C. S.
Lennard, T. B.
Lennox, Lord G.
Lester, B. L.
Lister, E.
Lloyd, J. H.
Locke, W.
Mangles, J.
Marshall, J.
Methuen, P.
Mildmay, P. St. J.
Molesworth, Sir W.
Moreton, A. H.
Morrison, J.
Mosley, Sir O.
Mostyn, Hon. E. M.
Parker, J.
Parrott, J.
Pease, J.
Philips, M.
Ponsonby, Hn. W. F.
Potter, R.
Poulter, J.
Pryme, G.
Rice, T. S.
Richards, J.
Rickford, W.
Rippon, C.
Robinson, G. R.
Roebuck, J. A.
Rolfe, R. M.
Romilly, E.
Romilly, J.
Rooper, J. B.
Rotch, B.
Russell, Lord
Scott, Sir E.
Scrope, P.
Shawe, R. N.
Shepherd, T.
Smith, J. A.
Smith, J.
Stanley, Hon. H. T.
Stanley, E. J. N.
Strickland, Sir G.
Strutt, E.
Talbot, H. Fox
Talmash, A. G.
Tancred, H. W.
Tayleur, W.
Tennyson, Charles
Thicknesse, R.
Thomson, C. P.
Throckmorton, R. G.
Todd, R.
Tooke, W.
Tower, C. T.
Tracy, C. H.
Trelawney, W. L. S.
Troubridge, Sir E.
Turner, W.
Tynte, C. J. K.
Verney, Sir H.
Vincent, Sir F.
Walker, R.
Walter, J.
Warburton, H.
Ward, H. G.
Warre, J. A.
Waterpark, Lord
Watkins, L. V.
Wedgwood, J.
Whitmore, W. W.
Wigney, J. N.
Wilbraham, G.
Williams, W. A.
Williams, Colonel
Windham, W. H.
Wood, Chas.
Young, G. F.

SCOTLAND.

Adams, Admiral
Dalmeny, Lord
Fergusson, R. C.
Hallyburton, D. G.
Hay, Colonel A. L.
Jeffrey, F.
Mackenzie, J. A. S.
Murray, J. A.
Oliphant, L.
Ormelie, Earl of
Oswald, R. A.
Oswald, J.
Parnell, Sir H.
Pringle, R.
Sharpe, General
Steuart, R.
Wallace, R.

IRELAND.

Barron, H. W.
Barry, G. S.
Bellew, R. M.
Blake, M.
Butler, Hon. Col.
Evans, George
Finn, W. F.
Fitzgerald, T.
Fitzsimon, C.
Jacob, E.
Knox, Hon. Col.
Lalor, P.
O'Connell, D.
O'Connell, M.
O'Connell, J.
O'Connell, M.
O'Dwyer, A. C.
Roche, D.
Roe, J.
Ruthven, E. S.
Ruthven, E.
Sheil, R. L.
Vigors, N. A.
Walker, C. A.
Wallace, T.

PAIRED OFF.

Abercromby, J.
Brougham, W.
Browne, D.
Bowes, T.
Clay, W.
Elliot, Capt.
Ferguson, Sir R.
Gillon, W. D.
Hawes, B.
Pendarves, E. W.
Paget, C.
Watson, R.

TELLERS.

Benett, J.
Wason, R.

List of the AYES.

Baillie, J. E.
Bentinck, Lord G.
Bethell, R.
Blackstone, W. S.
Blaney, Hon. Capt.
Chapman, A.
Christmas, W.
Darlington, Earl of
Dillwyn, L. W.
Eastnor, Viscount
Egerton, W. T.
Estcourt, T. G. B.
Finch, G.
Fleetwood, Capt.
Forester, Hon. C. W.
Gaskell, J. M.
Gladstone, T.
Gladstone, W. E.
Greene, T.
Halcombe, J.
Halford, H.
Hanmer, Sir J.
Hanmer, Col.
Hayes, Sir E.
Herbert, Hon. S.
Hodgson, J.
Hope, H. T.
Inglis, Sir R.
Irton, S.
Lowther, Hon. H. C.
Marryat, J.
Meynell, Capt.
Ryle, J.
Somerset, Lord G.
Verner, Col. W.
Villiers, Viscount
Wall, C. B.
Willoughby, Sir H.

TELLERS.

Sandon, Lord
Nicholl, J.

PAIRED OFF.

Fazakerley, T.
Fremantle, Sir T.

Grimston, Lord
Herries, Rt. Hon. J.C.
Houldsworth, T.
Ross, C.
Stanley, J.
Stuart, Lord D.

Felons' Property.] Mr. *Rotch*, in moving pursuant to his notice for leave to bring in a bill to alter and amend the law of forfeiture as regarded the personal property of convicted felons, remarked, that the subject was well deserving the consideration of the Legislature, and complained that it was manifest, from the returns laid before the House, that the present law opened the door to great abuse. From those returns, it appeared that the whole amount of property of convicted felons in all the counties in England, during the past year (as we understood) was no more than 3,100*l.*, and of this there had been, under very peculiar circumstances, one forfeiture alone of 2,500*l.*; so that only 600*l.* was the sum resulting from all the convictions for felony in this country. The object of the Bill which he sought to introduce, was to give power to the Court before which the felon might be convicted to dispose at its discretion of his property in one or more different ways—first, to apply it to the indemnification of the party robbed; secondly, in aid of the expenses of the prosecution; thirdly, to the support of the family of the felon, which, in many instances, became a burthen on the parish; or, lastly, to apply it to the maintenance of the felon himself during the period of his confinement. He was aware, that the Bill would affect the rights of the Crown, and would therefore require the sanction of his Majesty's Government, and he had reason to believe that such sanction would not be refused.

The *Speaker* inquired in what way the permission of the Crown had been obtained?

Mr. *Rotch* replied, that the noble Lord (the Chancellor of the Exchequer) had consented to the Motion.

The *Speaker* said, he must inform the hon. Member that it was necessary the consent of the noble Lord should be expressed by himself in and before the House.

Mr. *Rotch* said, he had received a letter from the noble Lord (the Chancellor of the Exchequer) stating that he had no objection to the introduction of such a bill as he (Mr. Rotch) now proposed, but the noble Lord would not pledge himself further.

Mr. *Ellice* hoped that, in the absence of his noble friend, the hon. Gentleman would consent to postpone his Motion.

Mr. *Rotch* was proceeding to complain that he had been disappointed during the last Session in carrying forward his proposed measure, when

The *Speaker* called the hon. Member to order, and remarked, that unless a Minister of the Crown was present to give his consent to the introduction of the Bill, the House could not entertain the subject, nor could he (the Speaker) put the question.

The conversation dropped.

HOUSE OF LORDS,
Thursday, February 27, 1834.

Minutes.] Petitions presented. By the Bishop of London, from several Places, for the Better Observance of the Sabbath.—By Lords Dacre, Lyttleton, Foley, and Poltimore, from the Protestant Dissenters of a Number of Places, for Relief.—By Lord Lyttleton, from Hayley, for the Repeal of the Sale of Beer Act.—By the Duke of Richmond, and Lord King, from several Places, for the Renewing and Extending of the Labour Rate Act.

HOUSE OF COMMONS.
Thursday, February 27, 1834.

Minutes.] Bills. Read a first time:—Tithes Redemption (Ireland); Highways Acts Amendment.

Petitions presented. By Mr. David Roche, from Korkany for the Repeal of the Union.—By Mr. Robert Gordon, from Highworth, against the Malt Tax.—By Lord Eastnor, from the Members of the Medical Profession in Surrey, for an Inquiry into the present State of the Profession.—By Mr. Sergeant Spankie and Mr. Craven Berkeley, from several Places, against the House and Window Taxes.—By Colonel Gore Langton, from Shepton Mallet, for an Alteration in the Poor Laws.—By Mr. Baring, from the Dissenters of Portsea, for Relief.—By Mr. John Maxwell, from Dalserf, against the present System of Church Patronage in Scotland.—By the Marquess of Chandos, from several Places, for the Repeal of the Malt Tax; and against any Alteration in the Corn Laws.—By Colonel Butler, from several Places, for the Repeal of the Union.—By the same, and by Mr. Finn, from several Places, for the Abolition of Tithes.—By Mr. Lennard, from Leekford, for the Better Observance of the Lord's Day.—By Mr. Warr, from the Handloom Weavers of Irvine, for Relief.—By Sir John Hanmer, from Whitchurch, against any Measures likely to weaken the efficiency of the Church.—By Mr. Ewing, and Colonel Leith Hay, from Glasgow, and other Places, for an Alteration in the present System of Lay Patronage in Scotland.—By Sir John Tyrrell, Mr. Blackstone, and Colonel Leith Hay, from several Places, for the Repeal of the Duties on Malt and Hops.—By Viscount Milton, from Northamptonshire, for the Abolition of the Corn Laws; and by Mr. Hall Dare, from several Places, against any Alteration of the Corn Laws.—By Lord John Russell, Sir William Molesworth, and Mr. Thicknesse, from the Dissenters of several Places, for Relief.

Agriculture — Malt-tax.] Mr. *Hall Dare* presented Petitions from Essex, signed by the occupiers of 16,000 acres of land, praying that the Corn-laws might not be repealed; also from the Hundred of Rochford, same county; also from the Hundred of Denby, same county, signed by the occupiers of 9,815 acres of land; also from the owners and occupiers of land, in the parish of Asheldean, in the same county. The petitioners stated, that they laboured under the greatest possible depression, and prayed, that the House would repeal some of those taxes which pressed so heavily on agricultural industry. They also prayed, that the Malt-tax might be repealed; and some of the petitions suggested, that, if the finances of the country required any substitute, a tax should be laid upon property. After that House had echoed the language of his Majesty's Speech, in regard to the distressed state of the agricultural interests, it would be unnecessary for him to occupy any of its time in describing that distress; but he could not present these petitions without expressing a confident hope that, after the result of the Motion brought forward by the noble Lord, the member for Buckingham, on Friday night last, on the subject of agricultural distress, his Majesty's Ministers would see the necessity of making some alteration in the financial scheme announced to that House a few nights since, —an alteration not more necessary than just towards those interests, which were labouring under depression.

The Marquess of *Chandos* entirely concurred in the prayer of these petitions; and expressed a hope, that the important Motion which was to come on that night would meet with the support of the House. He did not think that the Government could resist a Motion to inquire into the oppressive tax on malt.

Mr. *Harvey* observed, that the petitions prayed for the repeal of the Malt-duty, and against the repeal of the Corn-laws; and, what, in his opinion, was a very rational prayer, they prayed for a property-tax. In this respect he trusted, that they would not be regarded as supporting this measure from factious views. While they prayed for the repeal of the Malt-tax, which would make the revenue of the country deficient, they suggested a mode by which that deficiency might be supplied. This was a very important point for consideration. He was not aware that all the petitions contained this prayer for a property-tax, but some of them contained that prayer. He took it for granted, that no one in Essex wished unnecessarily to incur a new tax. He was well aware, that the greater part of his Majesty's subjects had too much good sense to entertain such a project. He would impress upon the House that these petitions advocated the repeal of a tax which would create a deficiency of 4,000,000*l*., when his Majesty's Government announced that they had only 1,200,000*l*. to deal with. Now, those who recommended that must be prepared to recognise a property-tax. If he had had the good fortune to be in the House sufficiently early to put his name down as having to present a petition, he should have had an opportunity of stating, that a considerable number of the farmers of the county of Essex had intrusted him with a petition upon the same subject. Their reasons for doing so was, as they said, that, on a recent occasion, out of the ten Members from the county of Essex, no one besides himself had voted for an inquiry into the Pension-list. They found the Members from that county most disinterestedly pressing for a repeal of the Malt-tax, with a negative feeling towards the House-tax, whilst for the continuation of pensions they were eager and uniform advocates.

Sir *John Tyrell* was one of those who opposed the Motion of the hon. member for Colchester upon the subject of the Pension-list. He held in his hand a petition upon the subject of agricultural distress, signed by a large number of the constituents of the hon. member for Colchester, and he would only make one remark upon this subject, which was worthy the attention of the House; these petitioners did not point out the Pension-list as a particular object of reduction. After the Motion, the other night, for an inquiry into the Pension-list, he would give the hon. Member fair warning, that, whenever that question again came before the House, he should be ready to draw down upon himself all the indignation and unpopularity that would attach to a vote in support of the prerogatives of the Crown. His reason for not supporting the hon. member for Colchester was, because he felt that, when hon. Members now on the Treasury Bench sat on the Opposition side, they had taken a very different course with respect to the Pension-list; and he was willing to see them dragged by their own friends through the mire, as had happened on a late occasion.

Mr. *Robinson* said, that the more the subject of the reduction of taxes came before the House, the more its importance would be seen by hon. Members. Every dispassionate observer must see, that, should any alteration of the present system of taxation take place to the extent demanded, the only alternative must be the substitution of a property, or income tax, or both. If the taxes of the country pressed so heavily on the people that they could no longer endure them, the only way left to meet this question was by a commutation of taxes. The taxes, at present, fell with unequal weight upon the lower classes of society. There were three classes of individuals affected by the taxes; first, the operative and labouring classes, who were grievously burthened by the present system of taxation; the second were the middle classes, who, if a commutation of taxes took place, would not probably be relieved to any great extent in respect to the amount of taxation; but they would be considerably convenienced by means of the new and improved machinery, which would follow any commutation of taxes. The next class were the mercantile and opulent men of this country; and his complaint against this class of persons was this, that they came down to the House to demand a repeal of the Malt-tax, without being prepared to agree to a Property-tax, or some substitution, to meet this reduction in the revenue of the country. He (Mr. Robinson) would vote for the reduction of the Malt-tax, because he was anxious that a pressure should be made on the Chancellor of the Exchequer, by which he would be forced to agree to a commutation of taxes. He wished to draw the attention of the House to what would be the probable consequence of the Chancellor of the Exchequer agreeing to the abolition of the Malt-tax, instead of the House and Window-tax. Why, considering the excitement in the public mind on the latter tax, and the part promise made by the noble Lord to remit the House-tax, that there would be such a pressure upon the Government that it would be impossible for it to go on without agreeing to a commutation of taxes. Even if the Malt-tax were repealed, such would be the pressure upon Government from without, after the promises they had already made, that they would be obliged to repeal the House-tax. They must come at last to the question of commutation. Let not hon. Gentlemen deceive themselves by thinking that any great reduction of taxation could take place without commutation. He did not see any good which that House could derive from dragging the Government through a series of paltry experiments. No serious or important reduction of taxation could take place until they first came to the question of commutation; and it would be better that the wealthy classes should at once contribute their fair share to the exigences of the State, than continue to hold their property in the uncertain state in which it was at present, owing to the clamour of a reduction of taxation, or the discontent of those classes upon whom its burthens pressed most heavily.

Lord *John Russell* considered that those who thought the adoption of a property tax, previous to the repeal of so many other taxes, would be the most just, as well as the safest, course for the House to pursue, ought to bring forward that proposition at once; for, if it were carried, it would save the Chancellor of the Exchequer a great deal of trouble.

Mr. *Baring*, alluding to the observations of the hon. member for Colchester, on the Pension-list said, that the uniform tenor of his conduct was sufficient testimony that, if he considered the inquiry into the Pension-list compatible with the implied contract between the State and those who enjoyed pensions, he would have voted for the Motion.

Petition ordered to lie on the Table.

LAY PATRONAGE—(SCOTLAND).] Mr. *Ewing* presented a Petition from 32,000 inhabitants of Glasgow, on the subject of lay patronage in the Church of Scotland. He believed that, with one exception (a petition from the ladies of the empire, on the question of slavery), this was the most numerously signed petition which had been submitted to the present Parliament. It emanated from a public meeting, called by regular advertisement, and composed of the most respectable, intelligent, and influential classes. It stated that the appointment of Christian pastors was a spiritual privilege; that patronage was contrary to the avowed principles and constitution of the Church of Scotland; that it was declared by the Scottish Parliament to be unlawful, unwarrantable, and opposed to the rights and liberties of the Church; that the Act of Queen Anne, establishing the system of patronage, was an injurious infringement on public rights, contrary to the Articles of Union, and productive of manifold discontent and divisions; and, therefore, praying that this Act might be repealed, and the election of ministers (according to such rules as might be prescribed by the General Assembly) should be a sufficient title to any benefices. He was happy to hear that the Government intended this evening to accede to the appointment of a Select Committee to inquire into the state and effects of patronage. He should, therefore, abstain from now entering into the general question, and would merely say, there was no subject on which the Scottish community felt a deeper and warmer interest; and that, after Parliamentary and Municipal Reform had both been granted, he trusted that ecclesiastical improvement would not be denied.

Mr. *Sinclair* would not let that opportunity pass without saying a few words. He rose more for the purpose of expressing the encouragement he felt from the presentation of the petition, than with any view to support its prayer. A petition so numerously and respectably signed, and emanating from the city of Glasgow, which was superior almost to any other in intelligence and independence, required no support from him. There was no question on which the people of Scotland felt a deeper interest, and to which they were more opposed, in consequence of unpopular ministers having been inducted into many parishes. He would, on that point, mention an instance or two. A correspondent wrote to him:—‘In 1823, ‘towards the close of that incumbent's ‘ministry, there were 347 families in the ‘parish, consisting of 1,852 persons, and ‘of these 111 families, consisting of 602 ‘persons, remained attached to the Es‘tablishment; the rest (with a few excep‘tions, belonging to the Reformed Pres‘bytery), belonged to the Secession. A ‘subsequent event has not only blasted a ‘fair prospect of the return of many of the ‘Dissenters to the bosom of the Church, ‘but still further inroads have been made ‘on the Establishment, by a fresh desertion ‘to the ranks of the Secession. And the ‘first meeting-house having been found far ‘too small to accommodate the individuals ‘of this denomination, a new one has ‘been lately erected of nearly double the ‘size, which is completely filled. And it ‘is a melancholy fact, that those persons ‘who first dissented, or their descendants, ‘who ought to have, and would have, in ‘other circumstances, rallied round the ‘Church for her defence, are all placed in ‘hostile array against her, crying, “Down ‘with establishments; raze her, raze her.” ‘Another case of a violent settlement, in ‘the adjoining parish, took place almost ‘immediately after that to which I have ‘alluded, and was attended with the same ‘melancholy result; the late incumbent ‘there having been literally settled at the ‘point of the bayonet, the Presbytery ‘being protected by a military force; and ‘during the minister's incumbency, which ‘lasted sixteen years, the Church was ‘all but deserted.’ Such reckless acts of tyranny deeply injured the cause of true religion; and, in consequence of no redress having been obtained, those who were formerly most strenuous in support of the Church Establishment were now arrayed against it. The system was not peculiar to Scotland; he would also show how it worked in England; and he would read a few words from a charge lately delivered by the Bishop of Exeter, and they would hear what the right reverend Prelate said relative to the law of patronage. The hon. Member read the following extract:—‘I once (says his Lordship) ‘had occasion to seek advice on this point ‘from a very high authority, in the case ‘of a populous and important parish, ‘where the clergyman presented to the ‘living, besides being very deaf, was ‘utterly unable to move without assistance; ‘yet, as his mind was sound, and he could ‘read the service, the great lawyer whom ‘I consulted told me, that he could not ‘advise me to refuse to admit him. An ‘aged and paralytic clergyman has been ‘presented to another very important pa‘rish; and as he, too, can read the ser‘vice, and is in possession of his intellect, ‘—though he trembles in every limb, and ‘is unable to perform with efficiency any ‘one of the offices of the Church, he ‘could not lawfully be refused. There is ‘a third instance of a rich parish, including ‘a large town, with a population of near ‘4,000 souls, to which a superannuated ‘clergyman was presented, who, being ‘utterly incapable of discharging any of ‘the active duties of the parish, was, of ‘necessity, suffered, immediately after his ‘institution, to retire for ever, leaving his 'house and flock to a curate. Now, in 'two, at least, of these cases, the patrons 'had avowedly selected individuals, not 'for their fitness, but for their unfitness; 'that unfitness arising from causes which 'implied the probability of a speedy de'cease, thus enabling them to dispose of 'the next presentation to greater advan'tage.' The hon. Member concluded by expressing a hope, that the grievances complained of by the petitioners would be speedily redressed.

Mr. *Cutlar Fergusson* said, that, though he was not prepared to go the length of breaking down all ecclesiastical establishments, either in England or Scotland, he would give his support to the general statement, that there ought to be a change respecting Church patronage. He thought that a measure ought to be introduced which would give parishioners a voice in the election of their clergymen. Such a measure he would most heartily support; but he declined being a party to the destruction of the Established Church in Scotland, to which that country owed so much, and to which, he was sure, the great mass of the people were firmly opposed.

Petition ordered to lie on the Table.

Mr. *Gillon* presented a Petition, very numerously signed, from the Provost, Town Council, and Burgesses of Ayr, in the county of Ayrshire, praying for the abolition of the system of Church patronage in Scotland. He could not allow this opportunity to pass, without respectfully, but distinctly and unequivocally, denying the statement of the hon. member for Kirkcudbright, that only a small fraction of the members of the Church of Scotland were opposed to the connexion of Church and State. A large majority of them were opposed to that union, and they looked upon it as unjust, unchristian, and impolitic. It was not the Established Church only to which they were opposed, but the compulsory assessment imposed by a dominant and privileged sect on all other persons in the State. He was a member of the Establishment, and it was putting the Church in an invidious situation to say, that it was not sufficiently strong to maintain itself, without imposing a compulsory and obnoxious tax upon other branches of the community. His constituents felt the objectionable manner in which Church patronage had been latterly abused, and were induced to call loudly for the repeal of the present law.

Mr. *Cutlar Fergusson* would not contradict what the hon. Member had stated, but he would say, that his (Mr. Fergusson's) information was very different, and that he believed it to be correct. The hon. Member said, he was a member of the Church of Scotland, and yet wished for the destruction of that establishment, which by the universal voice of the people succeeded the Roman Catholic religion, which had been approved of by their forefathers, and venerated from that day to this. The desire for the destruction of this Establishment was a thing of yesterday; there was a large body of men who thought it necessary to separate from the Establishment, in consequence of the manner in which the ministers of the Establishment were appointed. But to say that a member of the Church of Scotland wished well to that Church, and yet wished for its destruction, was language which he could not hear without entering his solemn protest against it. As to the obnoxious nature of the payment alluded to, he would say, their estates had descended to them charged with that payment; that they had purchased their estates under that charge; and that if they attempted to pocket that sum, it would be, in his opinion, an unprincipled proceeding, as it would be robbing the Church of Scotland of a payment which had been allotted to it in lieu of tithes, for which now they gave no consideration. He would take that opportunity to say, that there were broached in Scotland doctrines respecting Church and State, to which he for one would never give his support. Principles were carried to an extreme that would soon put an end to all Government. The first attempt was made upon the Church, the next would be an attack upon property; and he hoped that Scotch Members would never give their sanction to any proposition, which in any way tended to the destruction of the Church of Scotland.

Mr. *Andrew Johnston* was greatly surprised at the observations of the hon. Member. He could say, that the voluntary principle was not so general in Scotland as had been asserted. Out of a population of 2,300,000, about 500,000 were dissenters; so that the majority of the people of Scotland were in favour of the Establishment. He wished that hon.

Gentleman would deal with facts, and not in general assertions. Whenever he brought forward the question of voluntary support to the Clergymen, he should be prepared to meet the hon. Member.

Mr. *Roebuck* said, that when he had stated on a former occasion, that he was opposed to the Church, what he meant was, that he was opposed to a compulsory assessment for its support; but he denied entertaining any desire to witness the destruction of the Church. The hon. member for Kirkcudbright must know that the Church consisted of the people,—that it was not the edifice or the Clergy, but the congregation. What he wished was, that the principle should be carried from politics to religion, and that no money should be paid except where services were rendered. It was of great consequence, that those Members who entertained opinions similar to his own should not be misapprehended, or misrepresented. There was an assumption of sanctity by certain hon. Members on the other side of the House, when any suggestions were given on the Reform of the Church, and they arrogated to themselves a kind of superiority, as though they contained in themselves the whole religion of the House. Surely, hon. Members might be very religious on that side of the House, and yet entertain particular opinions on the Church Establishment. He thought, in such extraordinary zeal for the Established Church, instead of evincing that Christian charity peculiarly inculcated by the doctrines they professed, he observed a spirit of narrow and bigoted intolerance.

Mr. *Finch* was surprised to hear the hon. member for Lanark say, that the union of Church and State was unscriptural and unchristian; and that the people of Scotland were opposed to the compulsory maintenance of them. He must deny both these statements. He denied that the payment of Church dues was a compulsory payment, in the proper sense of the word; it could not be said to be a compulsory contribution, to require men to pay that which was never theirs. As to the connexion of the Church and State, he contended that it was both Christian and Scriptural. That question had been fully discussed out of doors, and he (Mr. Finch) would say, that those who were opposed to the Established Church, and to what they called a compulsory payment, had not come out of the controversy with much credit to themselves.

Mr. *Gillon* totally disapproved of the sentiments which had been expressed by the hon. member for St. Andrew's. He agreed with the hon. member for Bath, that it was most unfair to assume, that hon. Gentlemen who were in favour of voluntary contributions, were opposed to the principles of the Church of Scotland. For his own part, he begged distinctly to state, that he did not consider that he was entitled, nor did he desire to put into his own pockets the money which his lands were subject to. Previous to the Reformation, this property belonged to the Roman Catholics, and from the period of the Reformation, he considered the Church property was vested in the State, and that it should be appropriated as that House should think fit.

Mr. *Johnston* must beg leave to reply to the charge of arrogance or assumption of exclusive religion, which had been urged against him by hon. Gentlemen opposite. The observations which he felt it necessary to offer on this subject, were spoken by him as an elder of the Church of Scotland; as such, he felt that the subject of religion should not be adverted to but in a grave and becoming manner; and he did not think that because he had adopted this course, he should be met by the taunts and sneers of the hon. Member opposite.

Petition to lie on the Table.

THE UNIVERSITIES.] Mr. *Lennard* presented a Petition from the Protestant Dissenters of Maldon. Their prayer was for relief from what he thought every one must admit to be practical evils. The first of these was their being compelled to pay Church-rates. He thought this was a subject which ought to engage the earliest attention of the House, and which could not be postponed without great inconvenience. It was well known, that, in many places, the imposition of those rates had already been effectually resisted. The same spirit was spreading far and wide; and it would be found impossible to levy them in any places where Dissenters were numerous. They had but one of two courses to pursue,—either to give the Dissenters the relief they so justly sought, or to enact a law which should be more forcible and stringent than the present was; but to effect the latter course would be impossible. He did not think any Government, however popular with the House, could adopt it. He would, therefore, strongly urge upon the House the necessity of yielding with a good grace to the Dissenters that relief which ultimately must be given; and he urged this no less for the sake of the members of the Establishment, than for the Dissenters. Nothing could be more annoying than the disputes to which this claim on the Dissenter gave rise in many parishes, and he knew several gentlemen of great influence and property in their respective parishes, who had hitherto been in the habit of acting as churchwardens, but who had now determined to decline doing so again, being unwilling to be brought into collision with their neighbours. He could imagine no motive for withholding from the Dissenters the relief which they sought, for many of the Ecclesiastical sinecures connected with our cathedrals, would supply a fund, which, among other purposes, might, he thought, be most properly applied to the maintenance of the fabric of our church. The next grievance the petitioners complained of was, their exclusion from the Universities of Oxford and Cambridge, which they the more complained of, having been hitherto disappointed in their hopes that a Charter would be granted to the London University. No one, he thought, would deny that it was a great practical inconvenience to the Dissenter, that he could not obtain an academical education in this country; that if he desired to take a degree at a University, he must go either to Scotland or to the continent. He thought they had a right to have expected from a Government like the present, relief upon this head; and he must confess himself surprised at the delay which had taken place, for he could only consider it was a delay, in granting a charter to the London University. He agreed, too, with the petitioners in lamenting that they were excluded from our two Universities, for he could not but look upon our Universities as affording inducements to study, and conveniences and opportunities for education, not likely to be equalled in any other place. The more strongly he felt this, the more he was bound to admit the disadvantages which the Dissenter was placed under, by being excluded from them. He trusted that both our Universities would show that they were fully imbued with the liberal spirit of the age, and that, of their own accord, they would remove those obstacles which, at present, excluded the Dissenters from the advantage of graduating within their walls. He could not but think that a measure of this sort would reflect as much credit upon the Universities as it would give pleasure to many of the most sincere admirers of those institutions. The petitioners further prayed for relief in regard to the celebration of marriages, from the registration of marriages, births, and burials, and to be allowed to bury their dead in the parish churches.

Mr. *Tooke* said, that the application for a Charter to the University of London was now before the King in Council, and he hoped the result would be favourable, which would enable Dissenters to avail themselves of an academic education. If the Charter should not be granted, he should feel it his duty to bring the subject under the consideration of the House in the same form as he had before done.

Petition laid on the Table.

REPEAL OF THE MALT DUTY.] Sir *William Ingilby* rose for the purpose of bringing forward a question of vast importance, in doing which last year, he had the satisfaction of receiving the support of a majority of the House. He now came to the subject a little better prepared than he had been on that occasion, in consequence of the reply then made to him by the noble Lord, the Chancellor of the Exchequer, that it was an improper mode of proceeding for any Gentleman to come down to that House altogether unprepared to propose something as a substitute to meet the deficiency of 4,000,000*l.* in the revenue, which would be created by the repeal of the Malt-tax. He (Sir William Ingilby) therefore, on the present occasion, stood there in a better character, and, for a little while, he would supersede the noble Lord, and take upon himself the office of Chancellor of the Exchequer. He was quite aware of the difficulty that there was in saying, how far it might be practicable to procure so large a sum of money for the Exchequer, but, he begged to observe to his hon. friend, the member for Cricklade, that so far from pursuing this Motion for the purpose of embarrassing his Majesty's Government, he would tell him, that he took as much pains to support the present Administration as any man in the country. He, therefore, disclaimed any motive of hostility to the Government; his object was to support it, and to render it the best assistance in his power, by finding the funds to supply the sum of money required to carry into effect the repeal of the Malt-tax. It might, perhaps, appear singular to many hon. Gentlemen who were more accustomed to look at the finances of the country than he was, that he should set himself up as a financier; but he would produce a budget, and he hoped that it would give satisfaction, if not to the noble Lord, to the country. To the country he hoped it would give greater satisfaction than any other budget which had been brought forward for the last seven years. He need not, perhaps, repeat the arguments made use of in the course of last Session, and to the hundred arguments urged in favour of the repeal of the Malt-tax: nor would he refer to the desolation and misery which reigned throughout the country, from the accumulation of beer-houses, those abominable sources of incendiarism and acts of violence. Who had not heard of the evils of the "Tidley Wink," as the game played at these houses was called? He did not mean to deny, indeed, that there were some decent respectable beer-houses to be found; but where there was one house of a decent description, there were 50 or 100 to be found of a contrary sort? Now, his object was, to get rid of the Malt-tax, and, by so doing, get rid of these houses. In doing this, he should also enable his countrymen to drink a wholesome beverage, which would induce them to leave off dram-drinking; thus rendering a great service to the noble Lord and the country at large, which would be highly delighted in getting rid of this most odious tax. He could not understand the argument, that because a tax was there, it was, therefore, to last till the day of judgment. The noble Lord said last year, that he might take the question into consideration, if any hon. Member could devise a reasonable mode of supplying the deficit which must be caused by the repeal of this odious tax. He would not only do that for the noble Lord—he would not only enable the noble Lord to take off the Malt-tax, but he would place him on the high road to take off more taxes than the House and Window-duty only. He was glad to see that hon. Gentlemen opposite were in such good humour, because it showed that some good was likely to come from this Motion. He was sorry that the hon. and gallant officer, the member for Westminster (Colonel Evans) had, on a former occasion, left the House, and thus left in his hands the task of relieving the people of Westminster from the Window-tax. He thought that the hon. and gallant Colonel would have done better to have remained at his post when his Motion for the repeal of the Window-tax was to come on, than to leave him, a rural man, to fight the battle of the towns' people. The towns were still, he supposed, to be arrayed against the landed interest. This system would not hold good with him, for he meant to stand up against taxation for his brothers of towns as well as of the country; and if a contrary policy were adopted, he thought it would be pursued with a view to array the *ville* against the *village*. When he should have the honour to bring forward his budget, he should not only propose the reduction of the Malt-tax, but, taking the precedence of all the metropolitan Members, he would give them, of his own gracious accord, the remission of the House and Window-tax, and all that he would do without people coming to his house in Berkeley-square, and without any outcry whatever. His Majesty's Speech at the opening of the Session referred to agricultural distress, and he thought that part of it deserved their attention. He hoped the noble Lord would give full consideration to his Majesty's Speech by paying attention to that portion of it which alluded to the state of the agricultural interest. [Here Sir Robert Peel entered the House.] He was happy to see the right hon. Baronet, the member for Tamworth, enter the House, upon whose powerful aid and assistance he looked to earnestly—[Mr. *Stanley*: "*Hear, hear*"]. He did not understand, perhaps, what parliamentary tactics required, and he did not know what the cheer of the right hon. Gentleman (Mr. Stanley) meant. If the right hon. Gentleman supposed that he — an ancient Whig, not of many days, but of many years standing—had joined gratuitously the power of his eloquence to—if the right hon. Gentleman supposed that he sought to bring in his eloquence to the aid of an ancient Tory camp, that right hon. Gentleman was greatly mistaken. He did not acknowledge any distinct party—he came down there to do his duty at all hazards; he had taken this question up with a view to relieve the agricultural and the commercial interests, and not to put a sixpence into his own pocket, or those of the squirearchy; nor did he believe that the reduction or remission of the Malt-duty would have the effect of increasing rents. The reduction of the Malt-duty would, no doubt, place barley on another footing, because there would be a better market for it. But for what purpose was it he asked for the remission of the duty on malt? Why it was to relieve the middling and the lower classes of society, and it was for their relief that he was induced again to bring forward a Motion to repeal this tax. Hon. Gentlemen were not aware, perhaps, that in many parts of the country the poor and feeble were reduced to one of two grievous alternatives. The one was that which hon. Gentlemen would not like—namely, to drink water; the other was worse, because it was more unwholesome—namely, to drink gin. Gin was a beverage in every way prejudicial, but unfortunately it was at that pleasing price that for half-a-crown a man might swim in it. No gin or other ardent spirit could be wholesome for the community at large, and he thought that in his opinion the noble Lord would agree with him. Now he wanted, by the remission of this tax, to secure to the cottager such a wholesome beverage as he had one-and-twenty years ago. By the evidence given before the Committee of 1821, it appeared that in a parish, the property of Mr. Elmore, there was not a man who had not a barrel of ale in his house. Now he would ask how many men now had a barrel of ale? Not one, either in the place referred to, or in any part of the country he believed. The consequence was that the men now went to the Tom and Jerry shops, or the "tidley wink," or alehouses, to get cheap gin. Having said thus much on the necessity of taking off the duty on malt, he thought he could not do better than produce his budget, which would, perhaps, astonish the noble Lord and the House; but he had arranged it after full thought, and after discovering taxes which would be more than adequate to meet the deficiency caused by the remission of the Malt-tax. He had done this in consequence of the speech of the right hon. Baronet, who, on the former occasion, had said that he did not understand how hon. Gentlemen could propose to take off a tax without suggesting the means to replace its amount. He did not mean to pretend to quote the words of the right hon. Baronet, but he believed that his declaration was tantamount to this; and upon that ground he had understood the right hon. Gentleman opposed his Motion. He would now not further waste the time of the House, but would at once produce his budget. He headed his budget, for the purposes of the evening, the budget of "the Knight of Lindsey, promoted to the office *pro tem.* of Chancellor of the Exchequer." In the budget which he was about to submit to the House every thing was laid as low as possible. Let the House increase the calculations as they liked, for many of the items were able to bear this. The tax on malt in the United Kingdom for the year 1832 yielded 4,845,000*l.* odd, the duty on malt being 2*s.* 7*d.* per bushel. He would here state that the repeal of this tax would go far to relieve the cottagers. The objection to the repeal of this tax was, that the public burthens would not bear its abolition. Now how was this to be remedied? This was the mighty puzzle which his Majesty's Government had been in for some time; because if they had had any intention to relieve the country from this excessive and tremendous burthen upon the working classes they would have taken the matter into their serious consideration, and they would have come down to that House with a liberal measure of reduction; and this reduction could be made. The first article he took then was the Beer-duty, for they must partly re-enact the former Beer Bill. It certainly was an odious thing for a man placed in the situation of the noble Lord—it was an odious thing for a Chancellor of the Exchequer to come down and tax his Majesty's lieges; and it was particularly so to propose a tax upon a man who had been relieved from a tax. The brewers had been relieved from the Beer-duty; but then he meant to give them good malt for nothing; they had none of the abominations of excisemen; they had no inquisitorial visits to submit to; and therefore they could bear a tax upon each barrel of beer of thirty-six gallons. So far he must have a partial re-enactment of the Beer Bill—[*cries of "Oh! oh!"*] He would beg hon. Gentlemen who cried

"Oh!" whether they were brewers or not, to hear the case out. He was quite aware that, upon the repeal of the Malt-tax, the brewer could afford to be taxed. He only proposed to take a small tax of 6*s.* per barrel of thirty-six gallons. Granting the repeal of the Malt-duty, the duty on beer might be 12*s.* per barrel easily; but he wished to place the tax as low as possible, and not to levy more money on the people than was really necessary to supply the coffers of the Treasury, therefore, he proposed 6*s.* upon each barrel of thirty-six gallons. This would produce a sum of 1,500,000*l.* The second article which he had to produce from his budget was a new duty on foreign wines. He took, in the first instance, the more costly wines—wines of a more generous description, such as were used by members of Parliament, and others in their station of life. By doing so, he should be enabled to let the middling and more humble classes have the wines which they drank at a fair and moderate price. It had long been a remark amongst the people, that the Members of that House, while they freely assented to tax the people, watched with a jealous eye any measure which made an attack upon their own pockets. He had no objection, however, to pay a tax on his champagne or claret, and, therefore, in imposing a duty on these wines, he taxed himself. His plan, then, was to impose a tax upon all foreign wines, except Cape. He was thus minute upon this part of the subject, because it was quite necessary that his budget should not only be heard, but clearly understood by hon. Members. He excepted Cape, then, but upon the other foreign wines he would rise in exact proportion. Upon the Portuguese and Spanish wines, which were most generally used by the middling classes, and those of a more humble class who could afford to drink wine, he would impose but a small additional duty. But, upon French, Rhenish, and the nobler wines used by the wealthier classes, he would impose a heavy duty. Gentlemen might look out, for he was going to swim them up at once from 5*s.* 6*d.* to 15*s.* per gallon. By agreeing to this tax it would be only courteous on their parts to show the people that they could tax themselves a little, in order to allow the middling classes to have their port and other such wines cheaper. By the adoption of this tax, too, the House would nobly repel the charge of being jealous of any impost which affected themselves. He calculated that the produce of this tax would amount to 273,000*l.* There was another tax which he meant to propose, which he thought worthy of the most serious attention of the House and the country; it was a tax, too, which it was incumbent upon every lover of order and good government to support. It was a tax upon gin—called, *par excellence*, gin royal, or gin imperial. Now, he would tax, not only this gin, but the gin palaces. He would have been inclined to go pretty high in his taxation upon this article, were it not that he feared the late Chancellor of the Exchequer, when he resumed his office, would be pointing out to him the injury to the distillers as well as to the revenue, by giving encouragement to illicit distillation on the one hand, and smuggling on the other. This it was that prevented him from proposing from 5*s.* to 7*s.* addition per gallon. He must, therefore, in visiting these gin temples, content himself with adding one-half per gallon to the present duty. He was not sure how much this would make according to his figures, as he had no specific account; but he calculated it in round numbers at the incredible sum of 2,500,000*l.* According to the best accounts he had received of the consumption of gin, the tax certainly would amount to this within an odd 50,000*l.* or perhaps 100,000*l.* This increase of tax, while it would not raise the price sufficiently high to encourage the private distiller or the smuggler, would be efficient in its produce, and might be looked upon as the happy medium by which the late Chancellor of the Exchequer, when he resumed office, would be able to afford that relief which he was so anxious to extend to a suffering people, and at the same time give up the Malt-tax, which was a still more oppressive imposition upon the agricultural interests, who were already borne down by distress. He had now to propose another, which was quite novel in its nature, and which might, in some measure, excite the risible faculties of the House. Well, never mind that, let Ministers hearken to what he was about to say, and profit by the regulations he was about to adopt in his budget. Every hon. Member who heard him, must be aware of the enormous profligacy and wickedness which existed in London. Now he was not going to take walks through London, to give an account of the vice and wickedness which was to be found in every hole and corner. He would for the present content himself with what took place in the neighbourhood of the Athenæum. He was going to pronounce a fearful word—he scarcely knew how to trust himself with it—he was going to let fly at the Hells of London! He did not know why it was, that, in this country, after the law had been found insufficient to put those hellish establishments—those sinks of indecency—down, we should not be enabled to render them a source of revenue to the country. He knew not why or how it was, that a pair of the greatest scoundrels in Europe should be allowed to come down with impunity, night after night, and, with masked faces, pretend to play for thousands of pounds, and this for the sole purpose of entrapping young men from Cambridge or Oxford, or of seducing apprentices or clerks to rob their masters. He knew not how, he repeated, it was that these vagabonds should be allowed to act thus, without paying in the shape of a tax, the penalty of their iniquity. A pair of villains had been openly doing this; and if the law, as it existed, could not reach them, let it get at them in the shape of taxation. This was a matter worthy of the serious attention of the ex-Chancellor of the Exchequer. He had a great mind to be tenacious upon this point, but wished to act courteously to the ex-Chancellor. Let, however, one of two things be done—let them close their houses, or let them pay the tax. At present the west-end of the town was infested with these dens of thieves—he believed there was a notorious one next door to the house of the Bishop of London. Now, upon each vagabond keeping one of these hells, he would impose a tax of 1,000*l.* per annum. He had seldom or never gone into one of them; but perhaps it was his duty to have done so previously to the introduction of his budget, in order to ascertain the extent of the wickedness going on. Or he might have taken another course, and sought information from the police; but he believed the police received very little information on the subject, except, perhaps, where a throat was cut, or some other such trifling accident took place. He would put these vagabond hell-keepers down at fifty, which, at 1,000*l.* each, would make 50,000*l.* He now came to those gentlemen (for he supposed he must call them gentlemen) the Bonds, the Rookes, and so on, who attended such places—why should not such rascals take out licenses, in the same manner as gentlemen did when going a shooting? Thus a vagabond of the worst character might take out a license to go to hell.

Sir *Robert Inglis* rose to order. He put it to the hon. Baronet whether it was becoming to indulge in such a strain?

Sir *William Ingilby* said, he was quite aware that there were certain expressions which must not be mentioned to "ears polite." He certainly had not asked the hon. Baronet to take out a license for one of these places, but as he meant to tax them, he must be at liberty to allude to them. Taking the number of gentlemen, tradesmen, blacklegs, &c., who frequented these places at 5,000, and charging 10*l.* for each certificate, the tax would produce 50,000*l.* This was, however, a mere outline. There were many details and regulations into which he could not at present enter. For instance, he would impose a heavy penalty where gambling was found to take place in private houses; but this was matter for subsequent consideration. As far as he had gone with his budget, he hoped the right hon. the Chancellor of the Exchequer was satisfied with his progress of taxation, of which, however, he had as yet but a slight and indistinct glimpse. He had now to propose a tax which he considered a fair and equitable one, but which would beat the invention even of the notorious William Pitt. The hon. representative for Westminster, and the hon. Members who represented the metropolitan boroughs, need no longer fear how they were to give their votes respecting the disposal of the 1,200,000*l.*; it mattered little whether they consented to give it to the landed, or to the repeal of the House-duty. He would not trouble his hon. friend, the member for Middlesex, on the present occasion, much as he valued his calculating powers, because, perhaps, that hon. Member would be talking of some 10,000,000*l.* or 12,000,000*l.* He wanted no such sums; he would provide enough without them, by which the noble Lord would be enabled to extend that relief which the agriculturists and the other interests of the country required; for they might make up their minds to this, that, to that remedy they must come at last, and he, for one, was ready to meet it. His other items had excited the risible faculties of some hon. Members; but what would they say, or feel, when they heard the *monstrum horrendum* which he was now about to produce? Hon. Members need not any longer fear that he was going to say anything wicked—all that was gone by; and he now came to a source of revenue different from that to be raised in the neighbourhood of the Athenæum. The noble Lord, his predecessor in office, had placed a small tax upon titles or distinctions. Thus, if a man were a traveller, he was taxed—if he were a shopman or clerk, or other servant, he was taxed. Why not also impose a tax upon Dukes, Marquesses, Earls, Viscounts, Barons, Baronets, Knights?—he would not go below Knights—on the whole he would make it an *ad valorem* duty. Now, he would show them how this tax could be rendered productive, without being at all oppressive. He would not include ladies of title, no matter whether by birth, right, or courtesy, or even widows, in this tax. The tax upon titled personages he would make a small one—nay, he would go further, and provide that any titled personage who objected to the payment of the tax, might get rid of it, upon a condition, namely, that he should give up his title—that he should solemnly renounce it in the *Gazette.* So that if a Duke objected to the tax, he had only to give up his title for once and all, by a public act of relinquishment inserted in the *Gazette*, and thus he would save himself some fifty or one hundred pounds a-year. Let it not be supposed that he (Sir William Ingilby) was a disinterested person on the occasion. If the tax were carried, he must pay too. Though he confessed that it would be a question with him, whether he would continue to keep a handle to his name, or go at once into the *Gazette.* At present he only valued a ducal title at 50*l.* a-year, although the Duke ought to pay 100*l.*; a Marquess he valued at 30*l.*; and so on, on a graduated scale. On looking over his list, he found that this would produce a great sum to the revenue. There might be some grave objections raised to this mode of taxation, but he hoped not, at a period like the present, when they were about to extend a great boon to the people, by relieving them from taxation. The amount of the tax on titles, he estimated at 120,000*l.*! Titles, if they were not so common as at Vienna, were still quite common enough to render them available in a Government budget. Another item which he proposed, was, the re-enactment of the leather-tax, for he found that no advantage had been derived to the people either in town or country from its removal. This amount he calculated at 150,000*l.* He found that, thus far, his budget stood as follows:—

	£.
1. An additional duty of 2*s.* 9*d.* a gallon on Portugal, Madeira, and Spanish wines, would leave, according to the Returns referred to, and after allowing for drawback	415,000
2. An advanced duty of 9*s.* 6*d.* per gallon, that is from 5*s.* 6*d.* to 15*s.* on French, Rhenish, Canary, and Sicilian wines	237,000
3. An additional duty of 2*s.* 6*d.* per gallon on all ardent British spirits; leaving the duty 9*s.* 6*d.* per gallon for England, and 5*s.* 10*d.* per gallon for Ireland and Scotland, instead of 7*s.* and 3*s.* 4*d.*, as it is at present	2,500,000
4. Partial re-enactment of the Beer-tax, of 6*s.* instead of 9*s.* 4*d.* the barrel of thirty-six gallons, after allowing a strong drawback for less consumption in beer-shops and public-houses, in consequence of the consumption of home-brewed beer over a poor man's fireside	1,500,000
5. Suppose the number of hells at fifty in the metropolis, at 1,000*l.* each	50,000
Take the number of frequenters, including gentlemen, tradesmen, and blacklegs, at 5,000, the certificates, at 10*l.* each, would be	50,000
6. To re-enact the Leather-tax, as its partial repeal was scarcely a public benefit	150,000
	£4,902,000
Exact amount of Malt-tax, for year ending 10th October, 1832, was......	4,976,694
Produce of annexed scale	4,902,000
Difference	74,694
Estimate of tax on titles	120,000
Surplus	£45,306

Thus the House would see that, instead of a deficiency of 74,000*l.*, he had a surplus of 45,000*l.* in his pocket. He would now move to another part of the metropolis, and visit a certain quarter, where he perhaps might be told that, whatever pains he might have taken to do good to the agriculturists, they did not want him there. But he contended that the measures he had in view would be equally beneficial to the metropolis and to agriculture. The hon. member for Westminster might have deserted his Motion with safety, for he (Sir William Ingilby) had in his Budget that which would enable the ex-Chancellor of the Exchequer, when he resumed office, to dispose of the 1,200,000*l.* in reduction of the House and Window-tax if he pleased. And what was it he was going to do? He had not yet touched upon the Civil and Military Establishments—he had not come to them. He meant not to touch public credit, neither would he interfere with the banker's shop. He begged the attention of the right hon. member for Tamworth, who was well skilled in calculation, to what he was going to say. He was now going to another house of play, and he would tax the transfer of accounts. He would tax the transactions between the bull and the bear; and would that, he asked, affect public credit? He would say, certainly not. He hoped to receive an answer to this question by and by. Was it likely that such a tax would operate so as to frighten the speculator, the dealer in the funds, from the Exchange? [*An hon. Member:* "Oh, but you can't get at those accounts!"] Could he not? He would let them see, by and by, that he could, and that by doing so, he would be enabled to remove the House and Window-tax, as well as the Malt-tax. But hon. Members might ask how was this to be done? He would, in his turn, ask how everything else was done? Nothing more easy when once they set properly about it. In the first place he would have sworn brokers, who, upon inquiry, would be compelled to give the necessary information on the subject, and this could not be called in any way a tax upon, or an interference with, public credit; it was only a fair and equitable mode of providing for the reductions called for, and nothing was more easy to be done. He would not carry on his Budget much further. He was not quite satisfied as to his knowledge on the subject of reciprocity dealing, or he would ask why it was that French shoes and French gloves were not taxed upon being imported into this country. He only threw this out as a matter for inquiry. He believed he had now nearly discharged the duties of his newly-acquired office, and, without any hesitation or prevarication, he begged to call upon the noble Lord, the Chancellor of the Exchequer, to resume it, and he trusted that he might live long to enjoy it in health and happiness for the benefit of the country at large. For himself he would say, that he resigned his new honours with a much better grace than some hon. Gentlemen who left office. The hon. Baronet concluded by moving, "That this House do resolve itself into a Committee of the whole House, with a view to taking into consideration the propriety of partially or totally repealing the duty on Malt."

The Marquess of *Chandos* said, he most willingly seconded the Motion as far as it went, but he had nothing to do with the humorous observations introduced by the hon. Baronet. When the Motion was made last year on this subject, and carried, the Chancellor of the Exchequer objected to it that the Budget for the year had, at that time, been made up and passed, but this year no such objection could be made. He was most anxious to press this Motion upon the attention of the House with a view to its being carried. He was well acquainted with the distresses of the agriculturists, and it was not the first time he had had occasion to call the attention of the House to them. It was, at one time, his hope that a measure of relief, such as that now contemplated, would have emanated from Ministers; but as, unfortunately, that was not the case, he was determined to go along with his constituents in seeking relief from the burthens under which they laboured. The question for the consideration of the House was not how much or how little of this was to be taken off, but merely for a Committee of Inquiry to see if any, and what part of it could be removed with propriety. Was there any hon. Member in that House who could put his hand to his heart and say, that such an inquiry ought not to take place? Were they prepared to send Members back to their constituents to tell them that nothing was to be done for them—that even an inquiry into their distresses had been refused? The distress which existed amongst the agriculturists was not stationary—it was progressing fast; new cases of suffering were occurring daily, which, he feared, would soon create a spirit of discontent and disorganization, which it would in a short time be difficult to check. After the kindness he had experienced from the House on a former evening, when speaking on this subject, it was not his intention to take up much of their time, but he could not resist the opportunity of calling upon them to go along with the tide of petitions which had flown in from the agriculturists, and allow this inquiry. Should the result be such as he hoped it might, he trusted the noble Lord opposite would be enabled to meet any deficiency which might arise by availing himself of other resources. In the name of the agriculturists he implored the House not to turn a deaf ear to their prayer.

Mr. *Warburton* said, that he should not have risen then had he seen the slightest disposition on the part of the noble Lord (Lord Althorp) to address the House. If the object of the hon. Baronet's Motion had been to abolish any monopoly, or to repeal any tax which operated injuriously towards the industrious classes of the community, it would have received his most willing support; but he could only regard the hon. Baronet's proposition as an attempt on the part of the agricultural interest to put their hands into the pockets of the people. [*Cries of* " *No.*"] It appeared to him that the agricultural interest wished to raise a revenue from the other interests in the state, in order to place that revenue in their own pockets. [" *No, no.*"] He believed the substance of the hon. Baronet's comical budget was a proposal to repeal the Malt-tax, and reimpose on the people the Beer-tax. The hon. Baronet had also suggested the expediency of imposing additional duties on spirits and wine, and the hon. Baronet went so far that he might easily have been mistaken for a member of the Temperance Society, had he not concluded by proposing the repeal of the Malt-tax. He had certainly no objection to lower the price of beer to agricultural labourers, notwithstanding that the Magistrates and clergymen who had given evidence before the Beer Committee last Session, attributed all the crimes committed in the country to the low price of beer, in conjunction with the establishment of beer-shops; but he was opposed to the hon. Baronet's plan, because it was essentially a proposition to impose a tax on the consumers of beer in towns who were too poor to brew for themselves, in order that the growers of barley might place the produce in their own pockets. He trusted, therefore, that the Representatives of towns would protect the interest of the poorer classes of their constituents by refusing to give their sanction to the proposed partial system of taxation. The repeal of the Malt-tax would not have any tendency, in his opinion, to reduce the price of beer or malt to any considerable extent, unless that measure was accompanied by the removal of the duties on the importation of foreign barley. The simple repeal of the Malt-tax would only benefit the occupiers of barley-growing districts; and as he did not see the expediency of conferring exclusive advantages on any one separate interest in the State, he should vote against the Motion.

Mr. *Benett* denied that the removal of the Malt-duty would raise the price of beer to the consumers in towns, and said that the interests, not of the lower classes of the people, but of the great brewers alone, were considered in the continuance of that tax. The House had been told that the landed interest wanted to obtain the repeal of the Malt-tax in order to put the money in their own pockets. Now, he was ready to admit that the landed interest would obtain some relief by the removal of the duty, and in their present distressed condition they were entitled to relief; but the benefit would not be exclusively theirs, for it would be shared equally between the consumer and the producer. If the landowners took his advice, they would adopt every measure having a tendency to lower prices. Many years back they had neglected to prepare for a return to a metallic currency, and they had suffered severely for their want of prudence. Let them not betray a similar want of foresight with regard to the Corn-laws. Persevering endeavours would be made to obtain the repeal of those laws, and that those endeavours would be successful in the end he could not but believe. Under these circumstances, it was the interest of the landowners to prepare for the evil day, by lowering the price of the articles which they produced, and they could only effect this object by reducing the cost of cultivation. He considered it to be the interest of the landowners to repeal every tax affecting the production of the articles of life, and for this reason he was an advocate for a Property-tax, which pressed upon the rich, and not upon the poor. He recollected that when a Property-tax existed in this country it was run down by the clamour of itinerant orators, who possessed no property whatever. Since that period the people had become more enlightened, and a Property-tax would, he had no doubt, be now not unpopular in the country. He certainly thought that every Gentleman, before he voted in favour of the hon. Baronet's Motion, ought to be prepared with a substitute to supply the deficiency in the revenue which the repeal of the Malt-duty would create, for unless that deficiency was supplied, the national faith, the maintenance of which ought to be the first care of Parliament, could not be preserved. He was prepared with a substitute in the shape of a Property-tax, and he, therefore, considered himself at liberty to vote in favour of the hon. Baronet's Motion.

Colonel *Evans* said, he now rose principally for the purpose of explaining how it happened that he was not in his place on Tuesday evening, to bring forward his Motion for a repeal of the duty on windows. The cause was this--a deputation from Marylebone had waited on him in the course of that day, requesting him not to bring it forward. The Central Committee of Westminster made a similar request; a large public meeting, at which at least 1,000 persons were present, made a similar request—all objecting to that tax, but yet all agreeing that if the Chancellor of the Exchequer could not afford it now, he might be prepared for it in the course of the ensuing year. These meetings were thankful for the remission of 1,200,000*l.*, as promised by the Chancellor of the Exchequer; they were thankful for the promised repeal of the odious and partial House-duty—and owing to these circumstances, and not from any consultation with the noble Lord, the Chancellor of the Exchequer, he had not brought forward his Motion. He might at all events be now permitted to say why he should vote against the proposed Motion. He thought that the agricultural interest had the least claim for a reduction of taxes, and that five-sixths of the Members of the House were its professed advocates. Too much caution, therefore, could not be used in watching so powerful a body. The remission of the Property-tax alone gave a benefit of many millions to the agricultural interest.

Colonel *Davies* said, there was no distinction of interests engaged in this question. He looked upon it as one involving the moral interests of the people, and as such, worthy of the best attention of that House. The beer-shops were established by the late Ministers, who also reduced the duty upon ardent spirits; and the result was, that the people were in as great a state of demoralisation, as in the bad times of Sir R. Walpole. He believed it would be unavailable to put a tax upon spirits; but his object was to give the people a taste of homely comforts, and thereby save their characters. The quantity of spirits consumed had increased to an extraordinary extent throughout the United Kingdom since the reduction of the duty on spirits from 11*s.* 8*d.* to 7*s.* In England, the increase was from 3,400,000 to 7,000,000, according to the last return; in Scotland, from 2,000,000 to 5,000,000 gallons; and, in Ireland, from 2,000,000 to 9,000,000 gallons. If any remission were to take place in the Malt-tax, it should be altogether remitted; but even the remission of 2*s.* 6*d.* a bushel, would afford considerable relief to the agricultural interest. He was the Representative of a large constituency, of a large manufacturing and commercial community; and he could say for himself, and, he believed, for his constituents, that no injury could arise to them from acceding to the present Motion. If the duty upon malt were taken off, the beer would be stronger and better than it was at present, and the towns would get the benefit of it. The Chancellor of the Exchequer had 500,000*l.* surplus. He would call it 300,000*l.*; and he would venture to add, that such diminutions might be made in the expenses of the army and colonies, as would supply the amount of the Malt-tax. Believing that, he had no hesitation, whatever, in supporting the Motion; and, though the repeal of the tax might tend to the advantage of the barley lands, he could not say, that the agriculturists were not entitled to any relief which that would give them.

Mr. *Gisborne* was of opinion, that this Motion was not only singular in itself, but most singularly supported. Indeed, it appeared as if the hon. Baronet and his Motion were both to be thrown overboard together. As the Motion originally stood, it was for the total repeal of the Malt-tax; but as it was now shaped, it was merely for inquiry in a Committee up stairs—["No, no, in a Committee of the whole House"]. Well, be it so, but his mistake was not unreasonable after the change which had been made in the terms of the Motion. He could not vote for this Motion—not because he did not know and feel for the sufferings of the agricultural interest, but because he thought, that the repeal of the

Malt-tax would not answer the expected purpose. Such relief as its repeal would give, would go into the pockets of the agriculturist—would benefit the barley-growers, but would in no degree confer any benefit upon the poorer consumers of beer. There was at present a redundant supply of all sorts of labour in the market, and the only means of giving relief would be, by taking off taxes, and thereby giving greater employment to the people. The repeal of the Malt-duty would do no general good; and he verily believed, that distress would not be relieved, till "the old owners and occupiers of the soil were worn out." He meant, in saying this, to speak of those persons who "were tied down by old engagements;" those persons who contracted to pay two bushels, and were now paying at the rate of five; and he could assure the House, that the wearing-out system was now very rapidly on the advance. He knew a tract of land, the forest of Needwood, in the county of Stafford, comprising 10,000 acres, upon which there was not a single occupier who had been there twenty years ago. This he spoke of from his own knowledge—in fact, they were altogether annihilated, or swept away to gaols or to lunatic asylums. "Their places knew them no more;" they borrowed upon paper-money—upon unstandard-money, which, by a vote of this House, was voted to be equal to standard-money. The people then confided in this House, and this confidence was their ruin. He would not participate in the act of 1819, for he considered it one of the greatest acts of fraud, as well as of cruelty, that was ever inflicted upon civilised man. He was not much in the habit of trespassing upon the attention of the House, and on the present occasion he was strictly confining himself to the Motion of the hon. Baronet, and only stating why he could not give his support to the Motion. He admitted the distress of the agriculturists, and that this Motion would give them relief; but he thought that that relief would be extremely small unless the whole of the Malt-tax were taken off. He did not think this an occasion upon which we could go into an inquiry of the general fiscal system of the country. He did not think, that this Motion was likely to produce the benefits which the hon. Baronet intended, and for this reason he could not give it his support.

Colonel *Wood* could not abstain from alluding to the nature of the agricultural relief which had been suggested by the hon. Gentleman who had preceded him. The hon. Member had spoken as if he proposed to sweep away all the old occupiers of land. Till this event took place—till all the old occupiers of land had been swept away—he had predicted that there would be no relief afforded to agriculture. He (Colonel Wood) certainly could not acquiesce in this opinion, which did not comprehend the principles calculated to furnish agricultural relief. The total Repeal of the Malt-tax was practically impossible, for it would be hopeless to raise in its place a tantamount income. He knew of nothing so likely to remedy the difficulties under which the agriculturists were now suffering as a partial repeal of the tax. If the House agreed to repeal half the Malt-tax, and impose a duty of 5*s.* a barrel on beer, those Gentlemen who advocated the cause of the consumer might rely, it would not increase the price of beer one halfpenny. If this 5*s.* were imposed upon beer, and a correspondent 5*s.* deducted from the Malt-tax, it would be attended with an advantage to the moral interests of society, in addition to that of the agricultural interests, in having a tendency to suppress those beer-shops in the bye paths which were calculated to exercise a deteriorating influence on the morals of the people. In the opinion which had been expressed that an advance in the price of barley, which this Motion, if carried into effect, was intended to produce, would operate to the disadvantage of the labouring classes of the community, he could not agree. Wheat was the customary food of the people of England; and he should be sorry to see them reduced to the necessity of using any other bread than what was made from that sort of grain. But this was barley, the price of which he wished to raise, and it was certain that an advance of two or three shillings per quarter upon it, which would probably be effected by the method he had proposed, would effect much relief to the agriculturist. This would be more especially the case in the barley districts; and those districts were great; and in truth it would hardly be confined to them alone, for there were few districts in which barley was not more or less grown. Under the existing prices, bad samples were unsaleable; but these would be rendered saleable by any means which could be devised to advance the prices. Any measure, therefore, calculated to elevate the prices of barley was certainly of the utmost importance to the general interests of agriculture, and, guided by this principle, he must vote for the Repeal of the Malt-tax.

Sir *Robert Peel* had come down under the impression that the proposition to be made was for a total repeal of the Malt-tax; and he must say, there was considerable inconvenience, a notice having been given, that a specific proposal was to be made, in any hon. Member coming forward, and, in an instant, without any previous intimation of the change, introducing great and essential alterations in the purport and design of the original Motion. At the same time, he was not sure that the nature of the proposition had been in the present case substantially altered; because the hon. Baronet who introduced it stated his conviction, that little, if any relief, could be derived from a partial repeal of the Malt-duty; and his proposal, in fact, was to abolish the whole, promising to supply the deficiency of revenue that might result from its total abolition by substituting certain other taxes, which the hon. Baronet had detailed with some facetiousness. He did not apprehend, that the proposal of the hon. Baronet for a Committee, was with the view of maturely considering the subject, and calmly investigating how the interests of agriculture would be influenced by a partial, or total repeal of the Malt-tax. He feared, that on going into the Committee, a specific and sweeping proposition would at once be submitted to it for the repeal of the whole tax, and that the hon. Baronet had therefore only altered the forms of his Motion. With respect to the total repeal of the Malt-duty, he still adhered to the opinion he had stated in the last Session. It was impossible to decide on such a proposition without looking at the state of the revenue; although he did not consider it necessary to refer to it in detail, as every Gentleman must bear in mind the statement of the noble Lord (the Chancellor of the Exchequer) a few nights before. His opinion, taking into consideration the present state of the revenue of the country, was, that the House could not consent to such an extensive reduction of taxation as would be implied in the total repeal of the Malt-tax. The noble Lord, in his financial statement, had calculated, that the entire surplus of revenue during the present year would be 2,600,000*l.*, of which 800,000*l.* was to be reserved, in order to defray the interest of the 20,000,000*l.* voted to the West-India proprietors, and for which the national honour was pledged. There remained, therefore, a sum of 1,800,000*l.*; and as the noble Lord proposed giving relief by the reduction of taxation to the amount of 1,200,000*l.* the entire surplus would be only 600,000*l.*, which he for one, taking into consideration the state of the country, the extent of its revenue, and the possibly increased demands which might be made on it—did not think constituted too large a sum to leave as a margin, as it was popularly called, to meet contingencies. He thought, however, that the noble Lord had greatly overrated the surplus on which he calculated. There was 1,500,000*l.* estimated to be derived from a difference between the expenditure and revenue of last year; there was 500,000*l.* to be derived from savings in the Estimates; and 600,000*l.* calculated as the increase of the duty on tea. He had stated on a former occasion, and subsequent reflection had more firmly convinced him, that the noble Lord had no right to calculate on such an increase arising to the revenue from an alteration in the duty on tea. The noble Lord seemed perfectly satisfied, that he should be able to dispose of 36,000,000 lbs. of tea a year; and it would, of course, be great presumption in him to utter any counter-prediction to that of the noble Lord; but he would venture to say, that the noble Lord would not realize 600,000*l.* from the change in the system, as the noble Lord calculated. The noble Lord, in his opinion, had made a great mistake; the great probability was, that he would not be able to realize nearly one-half of what he had stated. The noble Lord was not entitled to promote the sale of tea by reducing the upset prices; and if they were continued, 36,000,000 lbs. could never be disposed of; and, in the most favourable state of matters, it was very doubtful more than doubtful, whether 600,000*l.* would be realized of increased revenue. There was to be a graduated scale of duties according to the qualities of the tea imported; had the noble Lord taken into consideration that it would be necessary on that account materially to increase the number of Excise Officers, the expense of which would no doubt deduct from the income which would be derived from the new scale of duties? Besides, another deduction should be made on account of the inevitable increase which would take place of smuggling. Upon the whole, he did not think that the result would justify the calculation of the noble Lord, and therefore the state of the revenue, and the probable vicissitudes to which it might be subjected, would not warrant the House in repealing the Malt-tax, and, in his opinion, the agricultural interest would have a much better chance of obtaining relief by maintaining public credit, than by pressing for such a reduction of the revenue as would endanger it. So far as personal motives could weigh with any man, it must be with him a primary object to protect the agricultural interest; but looking at the present price of the funds, considering the chance there was that an early and legitimate reduction of the public burthens would take place by diminishing the interest on those funds, his fixed and deliberate opinion was, that public credit should not be endangered or lessened by any rash and precipitate attempt to obtain the repeal of the tax in question. He had been astonished to hear no reference made by the noble Lord (the Chancellor of the Exchequer) to the state of the four per cents in his financial statement. The hon. Baronet who introduced the Motion, had reminded him of an observation he had made, that those who proposed a measure by which any considerable diminution of the revenue would be occasioned, were bound to provide a feasible substitute; and the hon. Baronet said, that he, of course, came prepared with a substitute. He had not the least objection to consider the propriety of adopting the proposition of laying an increased tax on gin; there was nothing very novel in that; he was, in fact, disposed to lay as heavy a duty on that noxious fluid as could possibly be collected from it, consistently with the interests of the fair trader, and the maintenance of the present amount of the public revenue. But if, by laying on an enormous tax on gin, an indirect advantage was given to illicit distillation, it was very difficult to see in what way the revenue would be increased, or the cause of public morality improved, by the change. Certainly, the interests of the industrious classes of society ought to be considered; and if it could be shown that any increase of taxation on a luxury like foreign wine would not diminish its consumption, and increase the public revenue, it would be a very convenient argument in favour of the present motion; but when the hon. Baronet had a little more experience in his office of Chancellor of the Exchequer, he would find, that whatever it might be in arithmetic, two and two did not in matters of revenue always make four. The hon. Baronet had also talked of imposing a tax on a certain class of mountebanks, and, perhaps, it might be possible to find out a worse tax. Certainly, if it would be an *ad valorem* tax, after listening to the speech of the hon. Baronet, he should be strongly inclined to support it. He must say, that if the hon. Baronet really meant to support the agricultural interest, he had treated the subject with a degree of ridicule which, considering the importance of it, and the distressed condition of that part of the community, was unwise and unseemly. The hon. member for Wiltshire (Mr. Bennet) had stated, that he would support the Motion, because, although he did not approve of the substitutes proposed by the hon. Baronet, yet he was prepared to find a substitute for the diminished revenue in a Property-tax. If he could concur in that view—if he could bring himself to think it would be desirable or expedient in the present state of the country to impose such a tax—he might have been induced to go along with him on the present occasion; but deprecating as he did, above all things, the re-imposition, in times of peace, of such an inquisitorial tax, without the most serious and overwhelming necessity, he could neither adopt the proposal nor act on the motives of the hon. Member. The hon. member for Breconshire (Colonel Wood) had urged the House to repeal one-half of the Malt-tax, and impose a new duty of 5*s.* on beer; but what would be the consequence of that? The Beer-tax had been repealed now two years; and would there not be great vexation in re-establishing it? Would not the greatest inconvenience result from any fresh interference with it, now that much capital had been invested in the trade, and had adjusted itself to the present scale of taxation. Would not the re-imposition of that tax occasion more inconvenience than advantage? He remembered well, that the strongest outcry was raised against the Beer-tax, because it was said, that it fell very heavily upon the poor, who were unable to brew themselves, and were compelled to purchase their beer of the brewers, and that the repeal of the Malt-tax would only benefit noblemen and gentlemen who brewed and consumed their own beer, but would be no relief to the poorer classes, whose consumption of beer was much greater than theirs. There was, indeed, no other reason for abolishing the Beer-tax than a strong conviction, that it was most unjust towards the labouring classes of society; in fact, that the rich man paid no more than twenty, while the poor man paid, at least, 100 per cent. One of the great reasons for abolishing that tax was, that it operated unjustly towards the industrious and labouring classes of society; but if the proposition of the hon. Member was agreed to, it would revive that tax, and substitute for the duty on malt, now in operation, an impost which would have the same effect precisely, as far as agriculture was concerned, although in an altered form. He still adhered to the opinion, that to the extent to which taxes could be removed, consistently with the maintenance of the public credit, the agriculturists had the first claim; and he hoped the noble Lord (the Chancellor of the Exchequer) would consider the proposition he had made the other night, to appoint a Committee for the purpose of maturely considering what was the real effect of public and local taxation on the agricultural classes. There could be no possible objection to such an inquiry, embracing, as it would, specific facts, in order to see how far, and whether fairly or unfairly, the pressure of taxation fell on the rural population. He very much doubted, whether the abolition of the Malt-tax would produce the relief to the landed interest which was generally imagined. The Malt-tax produced about 5,000,000*l.* The actual Poor-rates from the land much about the same amount. He was speaking strictly of the Poor-rate—of that part of the Poor-rates which pressed upon the land. And if he were asked this question—whether it would be of greater advantage to the landed interest to get rid of the Malt-tax of 5,000,000*l.*, or to get rid of the Poor-rates; he should not have the slightest hesitation in answering the latter. Suppose they could apply the produce of the Malt-tax to the provision of the poor out of the public funds, would there be any hesitation in saying which would prove the most effectual relief to the agriculturists. Certainly, the removal of the Poor-rate would be one of infinitely greater, more general, and more just relief to the landed interest, than the mere repeal of the tax upon barley. In uttering these opinions, he did not intend to preclude himself from fully considering, whether there might not, with advantage, be a partial remission of the Malt-tax to the extent of the surplus which the noble Lord could afford to bestow. He said, afford to bestow, because he believed the noble Lord had not above 1,200,000*l.* to give away. He was not prepared, at once, to say, that taking off a fourth of the Malt-tax would operate as any great relief to agriculture. If only one-fourth were reduced, all the vexation attendant upon the collection of the tax would still continue. He must certainly bear in mind, that we were living in a country where there were great quantities of barley grown; but he much doubted whether, by the remission of the Barley-tax to that amount, though he knew the barley growers were suffering, they would give relief to that class of the agriculturists who were most in want of it. It was established before the Committee last year, that the cold wet clay districts in which barley was not much grown, were the most suffering. In some of those districts the rent used to be 20*s.*, and the charges 50*s.*; now the rent was 50*s.* and the charges were 20*s.* These lands would get no relief from a partial remission of the Malt-tax. Considering the manner in which the hon. Baronet had brought the question forward, and the deep importance of the interests at stake, he certainly hoped, that the whole subject would receive the early attention of that House (and certainly none deserved it more), with a view of establishing some permanent system of relief. Though he could not, at present, concur in the total repeal of the Malt-tax, and though he thought the advantages of a partial repeal somewhat doubtful, yet he considered, that whenever the Chancellor of the Exchequer could, consistently with the state of the revenue, and the maintenance of public credit, make any remission of taxation, the agricultural interest had the very first claim to the benefit of that remission.

Mr. *Cobbett* would state, that his opinion with respect to the Repeal of the Malt-tax did not agree with that of the right hon. Baronet at all. For he could not conceive him to be guided by correct principles for the relief of the farmer, when he stated, that he would choose the abolition of the Poor-rates in preference to the Repeal of the Malt-tax. He feared, indeed, that he had fallen into the same error as the noble Lord had done when he stated, that the Poor-rates pressed heavily on the occupiers of the soil. In what way, he would ask, did they press heavily on the occupiers of the soil? It could not be said, that they pressed more heavily upon them than the tithes. They could, in truth, be only regarded as a part of the rent, and as such produced no pressure on the farmers. In illustration of this point, he would say, that he might as well call upon the House for relief from the payment of stamps at the Stamp-office. To say, that the occupiers of the soil were the payers of the Poor-rates would indeed be false and absurd. They did no such thing. It was the consumer who paid the Poor-rates. Instead, therefore, of going into a General Committee of Inquiry into the natural and local burthens of the occupier of land, as had been suggested by the hon. Baronet, it would be more convenient for the House to consider one thing at a time, and in the meantime to take into their serious consideration the Repeal of the Malt-tax. He had no doubt but that it would be argued by some, that the Repeal of the Malt-tax was putting the money into the pockets of the landlords. No such thing. The idea was preposterous, and wholly unfounded, unless it could be shown that the landlords drank all the beer. Those who maintained the opinion that all the profits arising from the Repeal of this tax would accrue to the landowners, had a very erroneous view of the subject; for it was clear the money would be put into the pocket of the consumer, and into his pocket only. It was true, many of the witnesses examined by the Committee said, that beer-shops were a great evil, but many witnesses also gave it as their opinion, that the proper remedy for this evil would be the Repeal of the Malt-tax. Beer-shops were an evil, but the real correction of that evil would be the repeal of the Malt-tax. The amount of this tax was the great objection stated against it. Now, his objection was not so much to the amount as to the mischief produced by the tax. It was not just to say, that this tax bore more heavily than other taxes upon particular classes. The fact was, that all taxes spread themselves over the whole of society, and if a tax were imposed on titles of nobility, that tax would eventually fall upon the poor as well as the rich. The amount of the Malt-tax would be a matter of indifference to him if there were no injurious circumstances connected with it besides the amount. The first evil was, that it drove the working people to the beer-shops, and a still greater evil that it drove the farming servants from the houses of the farmers. They must be all aware what a great change had taken place in this respect from the old custom. Formerly the servants were kept and maintained from their youth in the farming houses, and no person would deny that they were much better off under the care of the farmer and his wife than under that of their father and mother, because they were not so much indulged. This change of custom had operated a great and lamentable change in the character and manners of the rural population, and the great cause of this was the Malt-tax. One of the greatest sources of expense in keeping men servants in farmhouses was the beer they drank. Beer they must have, and beer they ought to have. They must have ale, too, occasionally, and they ought to have it. This being the case, the farmer now, in place of keeping labourers in the house, hired the servants by the week, one boy for one week, another boy for another, to save the expense of beer. Another evil was, that the Malt-tax created a monstrous monopoly. Eight bushels of barley would produce nine bushels of malt. Now, any farmer, were it not for this tax, could make his own malt as well as a maltster; and what a great difference would it make to him, having his own barley in the house, if he could convert as much or as little of it as he pleased into malt when he had occasion for it. The price of malt now was 64*s.* the quarter, or 8*s.* a bushel. The present price of barley was 24*s.* a quarter, and the tax 20*s.* 8*d.*; making together 44*s.* 8*d.* Now the whole difference between this and 64*s.* went into the pocket of the maltster. This difference went to pay the maltster's profit and licence, and interest on his capital. But what was the maltster's capital to the farmer? The farmer did not want it, and would, indeed, be better without it; for, by the operation of this tax, it was clear that 20*s*. per quarter was added to the price of the barley, and the duty; for the increase gained in malting was quite sufficient to produce a handsome profit. He was surprised at some of the observations of the hon. member for Bridport. Did the hon. Member imagine that the people belonging to barley lands, were the only people that liked beer? The hon. Member would find that half the beer was drunk in the towns; and when the hon. member for Westminster expressed his intention of voting against this Motion, because it would be injurious to his constituents, by depriving them of the 1,200,000*l*. which the noble Lord had in his pocket to dispose of, he would ask him if he did not believe that his constituents drank beer? Yes; and the tax which they paid in consequence of the duty upon malt, he would pledge himself to show, by figures, amounted to four times as much as the sum which they paid for House and Window-duties. Imagine an artisan, or little tradesman, paying 4*l*. or 5*l*. a-year for the House and Window-tax, and sending for three or four pots of beer every day of his life—let him brew his own beer—let him get his malt at 26*s*. a quarter instead of 64*s*., and then, he asked, would such a man gain more by the abolition of the House and Window-duty, or by ceasing to pay the tax upon malt. With regard to the Motion, he was very much divided as to whether he should vote for the Motion or not. He had great respect for the hon. Baronet who made this Motion, but it depended on whether the repeal of the Malt-tax was to be total or partial. He doubted whether a partial repeal would produce any sensible good. Suppose 10*s*., half the duty, were taken off, all the rest remained—all the monopoly—all the vexation—all remained. The working man would still have to pay 54*s*. a quarter for malt, whilst he wanted him to pay only 24*s*. If the price were only reduced to 54*s*. instead of 24*s*., he would almost as lieve pay 64*s*. He should, however, reserve to himself the right of voting as he thought most advantageous. The hon. member for Westminster had made some of the strangest observations he ever heard in his life. What strange hostility the Members for some of the Metropolitan constituencies seemed to bear to the land! One would almost think they never ate. The hon. Member had reminded the House, that the landlords were greatly relieved by the taking off the Property-tax. What! did it relieve the land and the land alone? Why, surely this must have taken place before the hon. and gallant Member was born. He had no land then, and yet he paid a Property-tax. He paid a good 100*l*. a-year Property-tax for a certain publication which should be nameless in that House. That was not landed property, and yet he knew that he felt a most sensible relief. Surely they were not to be told, that the landlords alone derived relief from the repeal of that tax. He thanked the House for the attention with which he was heard, and would not trespass longer on their time.

Mr. *Clay* said, that, as the question seemed to be reduced to the point of considering which of certain modes of taxation was most expedient, he felt himself bound to declare, that in his opinion the budget of the noble Lord opposite was preferable to that of the hon. Baronet on his side of the House. He could not believe, that this Motion was supported by its promoters on the ground, that it would afford relief to the people at large. Considering the proposition which had been brought forward on a former evening by the noble Marquess who had seconded this Motion, he must look at the Motion of that night as one intended for the exclusive benefit of the agricultural interest. He thought, that his hon. friend, the member for Bridport, had indisputably proved that the taking off the Beer-tax was more calculated to benefit the people than the taking off the Malt-tax. He looked upon those who now proposed this Motion as persons eminently wise in their generation, for they had brought it forward to benefit the class to which they themselves belonged, namely—the agricultural. Now, he put it to the House, whether the Members of that class were entitled to such a boon,—they who were now in possession of the greatest and the most monstrous monopoly that had ever been known in any country in the world. He had that day taken the trouble of making some inquiries respecting that monopoly; and he found, upon comparing the price of grain in bond with the duty which must now be paid before it could be let out of bond, that the agriculturists had a protecting duty on wheat of 140 per cent, and on barley of 130 per cent. With such a protecting duty on an article which was justly considered the staff of life, with such a monopoly too as they possessed of the domestic Corn Market, they had still the assurance to come down to the House and ask for the remission of a tax, every farthing of which would be put exclusively into their own pockets. The hon. and gallant member for Breconshire had stated, that the mere agitation of this question last Session had raised the price of barley several shillings—8*s*. or 9*s*. at least, in the quarter. That was the very reason why he opposed the Motion. The hon. member for Oldham stated, that the price of a quarter of barley was 24*s*. and of a quarter of malt was 64*s*. Now, he had that morning inquired into the point himself, and he found that barley, according to its quality, was 27*s*., 30*s*., and 34*s*. a quarter, and that malt was 53*s*., 55*s*., and 58*s*.; so that the difference between the price of barley and of malt was nothing like so enormous as that which the hon. Member had stated. The hon. Member concluded by declaring his intention to vote against the Motion.

Mr. *Baring* considered the subject under debate as one of extreme importance, notwithstanding the manner, highly unfortunate for the cause, in which the hon. Baronet had thought proper to introduce it. He trusted, however, that the merits of the question would not be permitted to suffer on that account. There were some who thought, that a partial repeal of the Malt-tax was desirable; some who were of opinion, that the repeal ought to be total. Under such circumstances, there was but one course of proceeding which could be considered perfectly justifiable. Here were a great many Gentlemen all ready to afford relief, but not agreeing as to the extent of that relief. The only proper course, therefore, was to put the Motion in a shape which should enable all who agreed in the general principle, that relief to some extent or other should be afforded, fully to discuss to what extent it should be carried. In all the recent proceedings of that House, it had been the uniform rule and practice to deal with all questions affecting our commerce, our agriculture, our manufactures, or any other of our great interests, in a Committee of the whole House; it being obvious, that a debate upon any subject of that kind could be carried on more conveniently and more satisfactorily in a Committee of the House, than in the House itself. He thought, therefore, that the change which the hon. Baronet had made in the form of his Motion, was a discreet one; and he wished that the rest of the course pursued by the hon. Baronet had been equally discreet. On one point he perfectly concurred with his right hon. friend, the Member for Tamworth; and he trusted that the great majority of that House would never be of any other opinion, than that the public faith of the country must be supported, at whatever expense, and with whatever sacrifices. If the public engagements of the country were not performed—if the country ceased to respect its engagements—the example would operate on all private transactions, and no individual whatever would be secure in the enjoyment of his rights. He held, that the maintenance of national faith was the only proof of civilization; and that, to permit the good faith of this country to be overborne by clamour or party would be to ensure the downfall of the country itself. He trusted, therefore, that the House, however constituted, would never take any step which might place the finances of this country in a situation to expose us to the danger of such a catastrophe. The great change proposed, involving no less than 4,500,000*l*. of revenue, rendered it necessary to consider what the general state of our finances was. He begged for a moment to take a view of their state at the end of the last war. That war left us with tremendous debt. With that debt we were still loaded; for, with the exception of the higher stocks, which had been reduced, there had been little diminution in it. At the period to which he adverted, many persons, and he among the number, thought that it would have been a wise course if the country had had the fortitude to look to the gradual diminution of the debt, and to provide the means for that purpose. That, in his opinion, would have been sound policy. He believed it was the policy that had been recommended by the noble Lord now at the head of his Majesty's Government. He was perfectly convinced, that if that policy had been pursued, the House would not, at the present moment, be debating whether or not it was prudent to make the reduction of taxation proposed. He was perfectly convinced, that if that policy had been pursued, and a very moderate support had been given to public credit, there would have been no such thing at the present moment as any stock bearing an interest of three per cent; for it would have been practicable to reduce that interest to at most two-and-a-half per cent. Had such reduction occurred, we might, at the present moment be reducing all our taxes on spirits, wine, and other articles of extensive consumption. What was the reason that Exchequer-bills bore so small an interest? Because the moneyed public had confidence in the short engagements of Government; and the Exchequer-bills coming round quick, they had no doubts with respect to them. But the moneyed public had no such confidence in the long engagements of Government; for, seeing that the Legislature made no provision for the diminution of the debt, they naturally asked themselves what might eventually become of their property. If, at the termination of the war, a wiser policy had been adopted—if a moderate sinking fund had been reserved, the country would, at the present moment, be enjoying, by its operation, a relief of ten per cent on its burthens. They had recently made an engagement to pay 20,000,000*l.* to the West-India proprietors. The noble Lord had very properly estimated the interest on that money at four per cent, being 800,000*l.* Now, he was convinced, that if, at the termination of the war, we had put our credit into the state in which it ought to have been put, that 800,000*l.* would have been reduced to 400,000*l.* It appeared to him, therefore, to have been exceedingly unfortunate that another course had not been adopted. Parliament, however, having decided that point otherwise, and it being impossible for us to retrace our steps, he was prepared to deal with the question on the principle upon which Parliament had determined that it should be dealt with; namely, that the country was entitled to every sixpence of relief from taxation which the Treasury could grant it. Under such circumstances, it was natural that hon. Members should claim the particular relief which would be beneficial to their particular constituents. They then came to the simple question before the House. He thought it would be exceedingly proper for the House to go into a Committee on the Malt-tax. All who thought that any relief could be afforded by a reduction of the Malt-tax must vote for the Committee; always leaving it open to them to declare, whether that relief should be 5*s.* or 10*s.*, or the whole tax. In the first instance, he was inclined to think, that a reduction of 10*s.* in the duty was the most advisable. He confessed, however, that, on considering the question more carefully, he became of opinion, that it was desirable the whole duty should be got rid of. For, although a reduction of 10*s.* would be, *pro tanto*, relief, yet the repeal of the whole tax would be productive of such extensive relief by restoring freedom to the manufacturers of malt, and would so largely benefit agriculture, that he should certainly prefer it. If a reduction of 10*s.* were made in the duty, the relief afforded would be only to the extent of 10*s.*; but if the whole duty were repealed, the relief would be not only 1*l.* 0*s.* 8*d.* (the amount of the duty), but of all the additional expense and incumbrance endured by the manufacturer of malt, and which had been so well explained by the hon. member for Oldham. The hon. member for the Tower Hamlets had contradicted the statements of the hon. member for Oldham, respecting the comparative prices of barley and malt. He had taken some trouble to obtain information on the subject, and, he believed, that the mistake of the hon. member for the Tower Hamlets had arisen from his having made his inquiries of the wholesale dealers in Mark-lane, instead of the persons engaged in the operation of malting in the country. If he inquired among small dealers in the country, and in country towns, he would find, that the utmost price of barley per quarter was 25*s.* or 26*s.*, and the price of malt from 60*s.* to 64*s.* If, as had been said, the inhabitants of towns would derive advantage from it, that would be an additional reason for repealing the tax. The price of barley being 25*s.* a quarter, and the duty 20*s.* 8*d.*, the real price of the quarter of malt was 45*s.* 8*d.* Now, instead of malt being 46*s.* a quarter, it was 64*s.* Thus there was a waste of 18*s.* in every quarter. What the profit of the maltster was he could not say, but he knew that the expense of making barley into malt was comparatively trifling. He presumed, however, that the profit in that trade could not be greater than it was in others.

Now, in taking off taxes, they ought always to take into consideration the cost of collection; that was, the difference in the amount of the money taken from the pockets of the people and the sum that was received by the Crown. It was one of the great problems in finance to impose taxes so, that the cost of collection should be as little as possible. Here, however, they found that the actual expense of a quarter of malt, as was clearly shown by the hon. member for Oldham (Mr. Cobbett) was only 45*s*; whereas the consumer in this country had an additional tax of 18*s*. a quarter imposed on him for the charge of collection. He thought, that no person who had listened to the very luminous speech of the hon. member for Oldham could have a doubt as to the oppressive operation of that tax. The Government, for the protection of the revenue, imposed restrictions as to the mode in which the article should be manufactured. To carry on the business of malting with success, it was necessary to employ a large capital; for, in many instances, the maltster was obliged to pay large sums in advance to the Government. He was also obliged to keep a large establishment, and was exposed to the most inconvenient, and, in many instances, oppressive, interference in the manufacture; of course such interference, and the advance of capital, made a very considerable additional charge to the consumer. A distinction had that night been drawn between the interests of the agricultural population and the inhabitants of large towns. Now, that was not the first time he had heard such observations, but, he confessed, that he was always sorry to hear them. His hon. friend, the member for Bridport (Mr. Warburton) seemed to consider, that it was his duty to carp at everything connected with the landed interest, and was anxious on all occasions to draw a line between the interests of the town and country population. Now, he thought, that drawing such lines of distinction could only be attended with mischief. He admitted, that if the labouring population of the country was in a state of distress, and labouring under great privations, there must be danger. It had been said, that proper attention had not been paid to the interests of the labouring classes, and, above all, to those of the peasantry. He did not think, that the House was justly liable to the reproach cast upon it by the hon. Baronet. In the long period during which he had been in Parliament, he had never seen that House—whether reformed or unreformed—exhibit any such inattention or indifference. But, in the present case, what was the difference between the situation of the labouring classes in towns, and the labouring classes in the country? And here he begged to observe, that as, in the early part of his life, he enjoyed the benefits accruing from labourers in commerce, so now he enjoyed the benefits accruing from labourers in agriculture. He had no motive, therefore, for leaning either to one party or the other, but he felt entirely free from prejudice in estimating the situation of both. But it was impossible to look at that situation and not see the great advantage which the labouring classes in towns possessed over the labouring classes in the country. In the newspapers of that very morning, a witness in a Court of Justice was reported to have stated, that a journeyman bookbinder, in London, could earn from 36*s*. to 2*l*. 2*s*. a week. Now, let the House look at the labouring classes in the country. Such was their distress, and such was the unfortunate operation of the Poor-laws, that the labouring classes in the country were scarcely able, with all their efforts, to earn the scantiest means of existence. Therefore, although it might be perfectly true, that to make beer cheap would be no great object to the labouring classes in towns, it ought to be recollected, that at its present price, it seldom reached the lips of the labouring classes in the country. The proposed alteration would remove this disparity. If it could be accomplished, more would be achieved for the benefit of the poorer classes engaged in agriculture, than by any other measure of a similar description. He repeated what had been so forcibly stated by the hon. member for Oldham, that it was highly desirable that the country labourers should live in the houses of the farmers; but that the effect of the Malt-tax was to drive them out of those houses. If, instead of the labourer living out of the house of his employer, he were to live in it, great moral benefits would result. In the cider counties this benefit had, in many cases, been the result of the repeal of the duty on cider; the labourers lived in the house of the farmer; the labourer and the farmer were drawn more closely together; and the consequence was, that a better feeling was produced between the master and the servant. It was evident, therefore, that if, consistently with the great principle of preserving the national faith, and of maintaining the various establishments of the country in their necessary vigour, they would take such a step, they would certainly be doing a great and important good. He spoke hypothetically; for, admitting that great and creditable reductions had been made in the national expenditure, both by the present Administration and by their predecessors, he was apprehensive that the House and the country must anticipate the speedy arrival of the period when little or nothing more could be accomplished in the shape of economy. What the actual case was with respect to the financial prospects of the country, he could not say. He would not venture to anticipate the noble Lord's budget. He would only declare, that if those prospects were such as to justify such a proceeding, without the danger of occasioning a deficiency in the revenue, he was of opinion, that the proposition made to the House ought to be acquiesced in. If any hesitation existed on the subject, the expediency of it ought to be inquired into. That was the principle which regulated his conduct on this question. He entirely agreed with his right hon friend, the member for Tamworth, in the imperative necessity of maintaining the national faith; and if he saw, upon investigation, that the proposed repeal was impracticable without endangering the public credit, he should be guilty of gross dereliction of his duty, if he were, for one moment, to give that repeal his countenance and support. The hon. Baronet had suggested the removal of part of the charge from malt to beer—a removal which, in his (Mr. Baring's) opinion, would be desirable. In no case, however, would he increase the price of beer, for what the consumer would lose by increasing the duty on beer he would gain by the reduction of the price of malt. If the noble Lord put a tax on beer producing 2,500,000*l.*, and took off the Malt-tax, there would be a saving to the consumers of beer to the amount of 2,000,000*l.* He had reason to believe, that the repeal of the Beer-tax had not enabled the Government to make any considerable reductions as to the charge for supervision, and he did not believe that, if his suggestion was adopted, it would lead to a very serious charge for collection. Again, at present, malt paying duty to the amount of 500,000*l.* was consumed by the distillers. A tax to that amount might be put on spirits without any additional charge to the purchaser. He had also reason to believe, that the constant interference with the distiller, in consequence of the Malt-tax, was attended with so much annoyance and trouble, that the removal of it would almost justify the imposition of another 500,000*l.* on spirits. Indeed, he had been told by a Scotch distiller, that persons in his trade would willingly consent to have the duty increased from 2*s.* 9*d.* to 4*s*,. provided the Malt-tax were got rid of. By adopting the course, he had suggested the noble Lord would get 2,500,000*l.* by a duty on beer, 1,000,000*l.* on spirits, and to that the noble Lord might add the present surplus of 1,800,000*l.* Thus he would have 5,000,000*l.* to dispose of. The noble Lord certainly had not pledged himself to the repeal of the House-tax, but had committed himself to a certain extent; and he was prepared to admit, after what had taken place, that it would be an ungracious thing if the agriculturists were to get relief by the repeal of the Malt-duty, and they left on the House-tax. He really thought that, by adopting the course he had suggested, the noble Lord could take off both those taxes. The noble Lord had promised that the agricultural classes should be relieved by an alteration in the Poor-laws. He did not wish to go into that question, but he would tell the noble Lord, if he expected anything like extensive relief, by adopting the regulations recommended by the Poor-laws Commissioners in their Report, he was sure that the noble Lord would be greatly disappointed. Some of those suggestions were beneficial; but others were of a harsh nature, and would only excite ill-feeling, if attempted to be enforced. He would, however, call upon the noble Lord to consider with what grace he could commence imposing fresh hardships on the labouring classes, if he were unable to allow them to exchange cold water for wholesome beer. They must make the labouring classes comfortable before they could look for much improvement. He would only add, that all those who entertained such sentiments would give their vote for the Committee.

Lord *Althorp*, before he went into the

general question before the House, was anxious to refer to an observation that fell from the right hon. Baronet (Sir Robert Peel) with regard to the tea trade. He (Lord Althorp) would here observe, that he concurred with the right hon. Gentleman generally in what fell from him, and he was extremely glad to hear many of his observations. The right hon. Gentleman seemed to think, that the new mode of collecting the duty on tea would require a large increase in the number of officers, and also a probable diminution in the amount of the receipts. He did not anticipate any such results. At any rate, during the present year, there was no necessity for going into the subject, as the new arrangements would not come into operation. His hon. friend, the member for Essex (Mr. Baring), commenced his speech by expressing his opinions as to a surplus revenue. Now, his hon. friend was aware that, last year, they differed on that point, and since then he had seen no reason to alter his opinion. His hon. friend had said, and not for the first time in that House, that the reason that Exchequer bills bore less interest than the funds, was, because there was an opinion, that there was a want of security in the funds. He regretted to hear such an opinion expressed by a man of the experience and knowledge of his hon. friend. He was satisfied that his hon. friend was entirely wrong in the view that he had taken of the subject, and the reason he had assigned had nothing to do with the case. In his opinion, the difference of price did not arise from any want of security, but from the greater convenience of Exchequer-bills. His hon. friend had also said, that if after the war we had continued to extract money from the pockets of the people, with the view of keeping up a large surplus, that, at the present time, a low interest would be paid on the funds. Now he did not agree in the opinion that had been expressed; but the consequence of not extracting more taxes from the pockets of the people with the view of keeping up a large surplus revenue was, that the capital of the country had increased, and the people were much more able to pay the interest of the debt than they formerly were. He thought, that Government had acted wisely in pursuing the course which they had, rather than in adopting the plan of his hon. friend. It was well known, that he had long made up his mind as to the impolicy of keeping up a large surplus revenue, and he was satisfied that if attempts had been made to do so from the peace, the result must have been most unsatisfactory. The probability was, that the Government would have been resisted, and that confusion would have ensued. His hon. friend then went to the question as proposed by the hon. member for Lincolnshire. He felt pretty confident, knowing as he did his hon. friend, the member for Lincolnshire, that the course which he would propose, would be straight and plain. But he (Lord Althorp) could not help feeling that, in the mode which the hon. Baronet had adopted in proposing the Repeal of the Malt-tax, he was advised by certain persons who were much better tacticians than his hon. friend. He must say, that his hon. friend had adopted advice which was not calculated to forward his views, and he was sure, that if his hon. friend had brought forward his Motion as he intended, he would have been likely to have got more supporters to his Motion. Now what was the Motion before the House? It was for a Committee of the whole House to inquire whether a reduction could be made in taxation, and, incidentally, what practical reductions could be made in the expenditure. Now, what were the topics which the House would have to consider? Different suggestions had been made as to the course which ought to be pursued. One suggestion was, that reduction should be made by taking away a portion of the interest of the National Debt. Another was, how far the expenditure of the country as regarded our establishments could be reduced to effect the object in view. Indeed, it would appear the inquiries of the Committee would extend to the whole income and expenditure of the country. Again, some questions were to be considered as to the taxes which were to be placed on in commutation of some which it was proposed to take off. His hon. friend, the member for Lincolnshire, stated what course he would pursue; and he could not help observing on this part of the subject, that his hon. friend who spoke last, did not take a view of the subject so different from that taken by the hon. Baronet as he (Lord Althorp) had expected. His hon. friend, the member for Wiltshire, had suggested, that a Property-tax should be imposed. He would only say, if the Committee was appointed, and took upon itself the imposition of taxes, it would, in point of fact, assume the whole functions of the Executive Government; and it ought not to be forgotten that the inquiry was to take place before a Committee of the whole House. For his part, he did not see how, by any possibility, such an inquiry could be conducted in such a way. He recollected, that some years ago, his right hon. friend, the member for Manchester (Mr. Poulett Thomson), brought forward a motion for the House to inquire into the whole system of taxation. Now, what was the ground for opposing that Motion? The right hon. Gentleman who was then Chancellor of the Exchequer said, that no Government could consent to a Motion of the kind without a complete abandonment of its duty; and the only ground for supporting the Motion was, that the Government had not acted consistently with the interests of the country, and that, therefore, the House took the management of the financial affairs of the country out of their hands. Therefore, taking such a view of the case, he felt that it would be utterly disgraceful to him if he did not resist the Motion to the utmost. On these grounds, he hoped the House would not consent to a Motion which implied a censure on the Government. His hon. friend who had spoken last, recommended that a tax on beer should be imposed, and said, that it would not press on the consumer so much as the Malt-tax. Now, he (Lord Althorp) would say, without hesitation, that that would not be the case as regarded the poorer class of consumers; and, in addition, it would be an unequal tax, and, therefore, must press more unfairly than the tax on malt. The hon. member for Oldham recommended that the House should repeal the whole tax. He agreed with the hon. Member, that it would be better to get rid of the whole tax than reduce it, for if the whole was not got rid of, the expense of collection, and all the vexation and difficulty now in the way of the trade, would still be retained. He agreed with the hon. Member, that the full benefit would not be given to agriculture, if they did not get rid of the whole tax, and, above all, as regarded farmers making their own malt. With respect to the observations that had been made as to the improvements that would take place in the condition of the agricultural peasantry from taking off the Malt-tax, he had a few observations to make. It had been stated, that the agricultural labourers would be induced to brew their own beer; but, however desirable that might appear, he did not believe that a change of that kind would be brought about in the present state of things. He repeated, that he did not believe that a Repeal of the Malt-tax would produce such a state of things; on the contrary, he was satisfied that the labouring classes would find it more worth their while to buy their beer of brewers than to brew it themselves. Indeed, it was hardly possible for labourers to make beer as cheap as those persons could afford to sell it who had large capitals. He was also much afraid, that the system was at an end of farm servants living in the houses of their employers, and that it was not very likely to be revived. He did not believe, that the Repeal of the Malt-tax would be productive of any such result. With respect to the recommendation, that a tax should be imposed on beer in lieu of the Malt-tax, he wished to observe, that he very well recollected the arguments which were urged with reference to the Repeal of the Beer-tax. It was then shown, that the regulations necessary in the collection of that tax were most vexatious; and it was also proved to the satisfaction of the House, that the consumers of beer would gain much more by getting rid of that tax, than by reducing the Malt-tax. Indeed he was satisfied, that any attempt to re-impose that tax, or impose a tax of a similar nature on the country, would give rise to the most serious opposition. He (Lord Althorp) had said, that the imposing a tax on beer in the room of the Malt-tax would be unfair, as it would throw a burthen on the poorer classes of the consumers of beer. If the plan suggested was adopted, a person with a large house in the country and a numerous establishment would be enabled to make his own beer, and at any rate pay but a small amount to the revenue; whereas the poorer classes, who in nearly all cases would not have the means of brewing, would have to pay nearly the whole of the proposed Beer-tax. He did not think, that a House of Commons would ever accede to a proposition tending to such a result. His hon. friend had suggested, that there should be an increase in the duty laid on spirits. He agreed, he believed, with almost every Gentleman in the House that the utmost amount of duty should be raised on spirits that could be collected; but he did not think that it would be possible to increase the duty with any prospect of increasing the revenue. From all that he had heard, he was satisfied the adoption of such a course as that suggested would encourage illicit distillation, and which he did not think would tend to improve the morals of the people. In corroboration of what he had just stated, he would mention a circumstance to the House which must be in the recollection of many who heard him. In 1830, there was an increase in the duty on spirits. It was calculated, that the increased duty would produce 600,000*l.* to the revenue, whereas, instead of such a result, there was an actual falling-off to the amount of 100,000*l.* He had reason to believe, that that result had not arisen from a falling off in the consumption of spirits, but in consequence of the increase of illicit distillation. Under these circumstances, however desirable it might appear, he did not think that they could calculate upon getting any counterbalance for the reduction of the Malt-tax by increasing the duty on spirits. His hon. friend must, on reflection, recollect that the reduction of the Malt-tax would in some degree operate as a temptation to the smuggler. The smuggler and fair trader would start on equal terms if they at present bought malt, and the smuggler would only save the amount of the duty on spirits. It did not make any difference to the fair trader whether he paid the whole duty on the spirits, or partially on the spirits and partially on the malt. If, however, the duty on the malt was taken off, the smuggler would be able to avail himself of the benefit of the reduction, and to make a larger profit by his illicit distillation. It was on this ground, therefore, he was satisfied, that the adoption of the course suggested by his hon. friend would be productive of mischief. Seeing, therefore, the subject in that point of view, and feeling that going into Committee would be productive of no good, but that it would only occasion unnecessary alarm, and believing also, that it was of the utmost importance in the present state of the finances of the country, to maintain confidence in the national faith, he felt called upon to resist the Motion. He repeated, that the state of our finances did not warrant a reduction of the whole of the Malt-tax, and that taking off one-half, or one-quarter of the duty would be only so much loss to the revenue, without anything like an equivalent advantage to the country. He was most anxious to give every relief to the agricultural classes, although he was not prepared to propose such relief as some hon. Members connected with the agriculture of the country demanded; but it was, however, his intention to recommend to the House, that a number of minor fiscal regulations which pressed in a vexatious manner should be got rid of. The adoption of that course would be attended with little loss to the revenue, and he hoped that, together with other arrangements which he should not then go into, something effective would be done towards affording relief to that important interest. He believed, that on a Motion made in another place, a Committee was appointed to inquire into this part of the subject, and an hon. Gentleman well acquainted with country matters intended to adopt a similar course in that House. He could assure the House, that he was as anxious as any man to do all in his power to relieve the country from the burthens under which it laboured, and all he could say, was, that if any means of effecting that object, without endangering the public credit, or injuring the finances of the country, could be pointed out, he for one, and as a Minister of the Crown, should be most willing to assent to the adoption of it. With these views, he hoped the Motion, notwithstanding the altered shape in which it had been brought forward, would be rejected; for, without seeing their way clearly, a Committee would be useless, and if they did see their way clearly, it would be altogether unnecessary. If they saw their way clearly, the worst course they could pursue would be to go into a Committee, for if they were to take that course, at least twenty different propositions, each in collision with the other, would be brought under consideration, and the result would be interminable discussion and waste of time, without any good being effected. Under these circumstances, he hoped and trusted the House would resist the Motion.

Mr. *Hume* hoped that, whatever change was effected, nothing would be done which would in any way endanger public credit. Although he differed in his view of the question from the sentiments expressed by the noble Lord (the Chancellor of the Exchequer) he should at all times strenuously resist any attempt that might be made to break down the confidence which the public creditor reposed in his Majesty's Government. By the reference which the noble Lord had made to the speech of the right hon. Gentleman, the Vice-President of the Board of Trade, he had placed himself in an awkward predicament; and if he Mr. Hume were to refer to a vote which the noble Lord had given on a Motion similar to the present, that awkwardness would not be lessened, for he would defy the noble Lord to explain the difference of the two cases. But the noble Lord had only himself to blame for the unenviable situation in which he was now placed; he had brought himself into the dilemma, and he must get out of it how he could. If, instead of allowing conflicting interests to fight their own battles, the noble Lord had made up his mind, as he ought to have done, to apply the surplus revenue he had in hand in the reduction of taxation, he never would have been placed in the difficulty in which he now stood. The policy in which the noble Lord had acted was most erroneous, and it was because he (Mr. Hume) desired the industry of the country to be relieved from the heavy burthens under which it laboured, that he should give his support to the Motion of his hon. friend the member for Lincolnshire. It was an error to suppose that this was purely an agricultural question, for the repeal of the Malt-tax would be advantageous alike to all classes. The repeal of 4,500,000*l.* of taxation would be good for all parties, whether living in country or towns. If the Malt-tax were taken off, the agriculturists must consent to a plan for the free importation of grain. That, however, was another question; but if they supported the present Motion, he, for one, would consider them bound, nay, pledged, to advocate the free importation of corn. Being satisfied, that the time was near at hand when the Corn-laws must be altered, he considered the inquiry proposed by this Motion one of paramount importance, and as the noble Lord opposite—as his Majesty's Government—had declined to do anything for the benefit of the people, it was the duty of that House to take the matter into its own hands. He freely acknowledged that the Motion of his hon. friend did trench upon the functions of the noble Lord (the Chancellor of the Exchequer), but if the noble Lord threw the duty which he ought to perform, upon that House, the noble Lord might expect that the House would not shrink from discharging it. No man could deny that the present system of taxation pressed most unequally, and that it was the bounden duty of that House to see whether some better and more equitable mode of taxation could not be devised. He did not hesitate to say, that if what the Committee sought for by the Motion of his hon. friend were granted, instead of injuring the public credit, the Committee would show how public credit could be best sustained. It was not true that the remission of this tax, amounting only to 4,500,000*l.*, would endanger public credit; but, even if it were true, that was not the question which they had now to deal with. The question was, could not the present system of taxation be changed for one that was more equitable? And if that House did not take the subject into its own hands, the country could not hope that any relief would be afforded to it. The subject of reduction could, however, be better considered in a Committee than anywhere else; and if the noble Lord would only call to recollection the sentiments he had formerly expressed, he would not now resist the Motion of the hon. Baronet. Did the noble Lord suppose, that if he was able to show that no better tax could be substituted for the Malt-tax, the House would not go along with him? He (Mr. Hume) believed that no more injurious tax existed; but still, if the noble Lord could convince a Committee that it could not be spared, they would not demand its remission. It had ever been his opinion, that it was bad policy on the part of the Government to raise the price of beer, and by that means to increase the consumption of spirits. They had all seen the baneful effects of the change, and how the morality of the lower classes had been endangered by it; and if they meant to bring society back to those moral habits from which, by the use of spirits, the people had unfortunately departed, that House must allow the poor to be supplied with a more wholesome, and at the same time, a cheaper beverage. He knew of no means by which spirit-drinking could be got rid of but by the removal of the Malt-tax; and if, on the one-hand, it was said that the remission of that tax would benefit only the landed proprietor, he, on the other, asserted, that it would be equally advantageous to every other class of the community. It was idle to say, that the benefit would be partial. Although the outcry against beer-shops had been very great, he had always approved of the conduct of Government in that respect; but, notwithstanding, he did not wish them to retrace their steps in this particular, he could see no reason why the Committee now sought for should not be granted, if not to attain any positive good, at least to convince the public that they were well disposed to do their duty. He contended that the inquiry would be as much for the benefit of the commercial interest as for that of the landed interest. Both parties were implicated in the question of over taxation, and he believed that unless something was speedily done to relieve the country from the burthens which oppressed it the consequences would be most lamentable. One means of effecting that object would be the repeal of the tax upon Malt. It was a mistake on the part of his hon. friend to suppose that the imposition of an additional duty of 2*s.* 6*d.* a gallon on gin would not lead to an increase of illicit distillation. They had only to refer to Ireland and to Scotland to be convinced that the notion of his hon. friend on the point was fallacious. An additional duty of 6*d.* a gallon had been laid on Scotch and Irish spirits, and what was the result? Why, that illicit distillation was renewed to an incredible extent in the Highlands of Scotland, and in several parts of Ireland. Instead of endangering the public credit, or occasioning dissatisfaction, going into a Committee would rather fortify the one and prevent the other. It would induce the country still to place confidence in his Majesty's Ministers, and convince the people that their complaints were not unattended to by that House. This was the opinion which he entertained, and therefore he should vote for the inquiry.

Mr. *O'Connell* had not many observations to offer to the House, but, coming as he did, from a remote part of the empire, where great distress prevailed, he felt it to be his particular duty to call the attention of the House to one or two points. In the first place, what was the question which they were called upon to decide? The question was, not that they should pledge themselves to the remission of any tax, but simply that they should grant an inquiry. This he understood to be the object of the hon. Baronet's Motion. Now, the noble Lord, the Chancellor of the Exchequer, resisted the inquiry; but what was the argument he used? Why, he said that as the case was not clear, inquiry would be fruitless; but if they were clear as to the course they ought to pursue, would there be any necessity for the appointment of a Committee? It was because the case was not clear, that inquiry was called for; and he must say, that, if they refused this inquiry, the rejection of the Motion of the hon. Baronet would amount to a declaration that they did not intend to afford any relief to the agricultural interest—[" *No, no.*"] Hon. Gentleman said, " No, no;" but he would ask the House whether it was not on behalf of the agricultural interest that the inquiry was sought? This could not be denied; and he was therefore right when he said, that refusing the Committee would be tantamount to declaring that they did not mean to do anything for the agricultural interest. . Perhaps the agricultural interest had no claim upon the sympathies of Parliament; but if they would look at the Agricultural Reports of 1821 and 1833, they would find that that interest was labouring under accumulated distress. Indeed, if they would only refer to his Majesty's Speech, they would find the same fact stated, for although in that document the Ministers triumphed in the commercial prosperity that obtained, they admitted and regretted the existence of great agricultural distress. That agricultural distress prevailed in all parts of Ireland, was disputed by no one; but still it would appear that his Majesty's Government had no intention to propose any measure for the relief of that country. The only tax proposed to be taken off, was the House-tax; but the remission of that tax would afford no relief to Ireland. The duty on glass and the Window-tax had been extended to Ireland; but such was the poverty of the country, that they were found wholly unproductive, and consequently repealed. He stood there in behalf of the agricultural interest of Ireland. Perhaps the naming of anything connected with Ireland, might create a laugh in that House.—[" *No, no.*"] Well, then, he supposed there was no laugh. But, even supposing the House and Window-duties were both repealed, he would ask how such a remission could benefit Ireland? He had a right to call on that House to institute such an inquiry as would relieve the agricultural interest of

Ireland as well as that of this country. But if it were intended that no relief should be afforded to Ireland, it would be only fair on the part of the Government to say so. The Committee, if granted, would not be called upon to decide the amount of relief which should be granted. Its duty would only be to point out how that relief could best be obtained. Although no direct taxes existed in Ireland, still taxation was severely felt in that part of the empire. One of the objects which the Committee proposed by the hon. Baronet should consider, was, whether it would not be possible to commute the present system of taxation into a property, not an income-tax. He had no disposition whatever to lean on one part of the empire more than another. But of this he was convinced, that a Property-tax alone would be of advantage to Ireland. He knew he should be assailed with brutality out of doors, and fiercely attacked in that House; but still he would declare the sentiments which he had before expressed, and affix on others the charge and the responsibility of that gross and arbitrary robbery which had been committed by the Legislature in favour of the public creditor on the public debtor. The public debt had been contracted in one species of currency, and paid in another, and therefore he insisted that robbery had been committed on the one hand, and that national faith had been violated on the other. Was it "cant" then to say if the national faith had been violated on one hand, it should be violated on the other? Was it "cant" that both parties should equally suffer from the transitions which had taken place in the currency? Why should the debtor be placed in a worse situation than the creditor. The debt was contracted in a paper currency. Why was it to be paid in gold. But to show that it was not cant to say that the fundholders should bear their share of the public burthens, he had only to refer to the proposition of the noble Lord, the Chancellor of the Exchequer, who proposed a tax on the transfer of Stock. If he had been denounced for his views, why should the noble Lord escape, who, by that tax, touched the sanctity of the cherished interest. He had been met by a unanimity of attack from the other side of the House for merely wishing to discuss the question, while the noble Lord who made a formal proposal, passed unrebuked. He was called a profligate—a political profligate; but he shared that profligacy with a right hon. Baronet opposite, a near neighbour of his accusers. He had only proposed a reduction of five per cent; the right hon. Gentleman had, in a pamphlet published by him, declared that the claim of the fundholders ought to be reduced to the extent of twenty-five per cent. Why did the hon. Gentlemen who had so unmeasuredly assailed him, sit so close to a political profligate? Why suffer the contamination of his contact? He (Mr. O'Connell) trusted the right hon. Baronet (Sir James Graham) would not consider what he then uttered was meant to give personal offence. Nothing was further from his intentions; but the inconsistency was so glaring, that he should be unjust to himself if he allowed it to escape observation. Whether his plan were spurned or not, the House was bound, as the Representatives of the people, to relieve the landed interests. Ireland had no commerce; she had only her soil for her support: a Property-tax would search and find what property was out of the country—what property ought to be taxed. The noble Lord said, he would refuse the inquiry, because, if granted, they would be abdicating the functions of Government. Why had they not already abdicated? They had often yielded; still they were not deterred from holding the reins of power in their hands. They, indeed, possessed a dexterity and an evasiveness that were not creditable to any Government. They sought to play off the Metropolitan boroughs against the country interest. They looked for stray votes here, and stray votes there. It was a Government of shifts and expedients. They shifted to one side—they moved to another. Defeated in one place, they attempted to rally elsewhere. They put their helm a-lee. They cautiously moved by Sylla—they scarcely dared to approach Charybdis. The House had made them amenable. It was right a Government should be under the influence of the House. He besought them now to exercise that influence, and compel the inquiry so urgently and emphatically prayed for.

Sir *William Ingilby*, in reply, said, that not a single satisfactory objection had been urged against his budget, even by the right hon. Baronet, the member for Tamworth. He sought the total annihilation of the Malt-tax, and, as he was actuated by no other motive than a desire to alleviate the distresses of the poor, he hoped the result of his Motion would be a triumph over his opponents.

The House divided—Ayes 170; Noes 271: Majority 101.

List of the Ayes.

ENGLAND.
Adams, E. H.
Aglionby, H. A.
Arbuthnot, Hon. H.
Attwood, M.
Attwood, T.
Baillie, J. E.
Bainbridge, E. T.
Bankes, W. J.
Baring, A.
Baring, H. B.
Barnard, E. G.
Beauclerk, Major
Bell, M.
Benett, J.
Blackstone, W. S.
Briggs, R.
Bruce, Lord E.
Brudenell, Lord
Buckingham, J. S.
Burrell, Sir C.
Burton, H.
Berkeley, Hon. G.
Cartwright, W. R.
Cayley, E. S.
Chandos, Marquess of
Chaplin, Colonel
Clive, Hon. R. H.
Clayton, Sir W.
Cotes, J.
Crawley, S.
Curteis, H. B.
Dare, R. W. H.
Darlington, Earl of
Dashwood, G. H.
Davies, Col.
Dillwyn, L. W.
Duffield, T.
Dugdale, D. S.
Dundas, Captain
Dawson, E.
Duncombe, Hon. H.
Durham, Sir P. H.
Egerton, W. T.
Etwall, R.
Faithfull, G.
Fancourt, Major
Fellowes, Hon. N.
Fellowes, Hn.H.A.W.
Fielden, J.
Finch, G.
Foley, Hon. E.
Folkes, Sir W.
Forester, Hon.G.C.W.
Fremantle, Sir T.
Fryer, R.
Gaskell, J. M.
Gaskell, D.
Grimston, Viscount
Goring, H. D.
Guise, Sir W.
Gully, J.
Halcombe, J.
Halford, H.
Hall, B.
Handley, H.
Hanmer, Sir J.
Hanmer Col.
Harvey, D. W.
Hardy, J.
Herbert, Hon. S.
Hope, H. T.
Henniker, Lord
Irton, S.
Jervis, J.
Jolliffe, H.
Kennedy, J.
Keppel, Hon G.
Kerrison, Sir E.
Leech, J.
Lennox, Lord W.
Lincoln, Earl of
Lister, E. C.
Lowther, Hon. H. C.
Lygon, Hon. G. H.
Martin, J.
Meynell, Capt.
Miles, W.
Milton, Viscount
Norreys, Lord
Palmer, Robert
Palmer, General
Parker, Sir Hyde
Parrott, J.
Pigot, R.
Pelham, Hn. C. A. W.
Poulter, J. S.
Richards, J.
Rippon, C.
Robinson, G. R.
Rooper, J. B.
Russell, W. C.
Seale, Colonel
Simeon, Sir R. G.
Spry, S. T.
Stanley, E.
Stewart, J.
Sanford, E. A.
Sanderson, R.
Shawe, R. N.
Tancred, H. W.
Townshend, Lord C.
Taylor, M. A.
Tennyson, Rt. Hn. C.
Tower, J.
Trevor, Hon. G. R.
Trelawney, W. L. S.
Tyrell, Sir J. T.
Tyrell, C.
Tynte, J. C. K.
Tollemache, Hn. A. G.
Vernon, Granville
Walter, J.
Weyland, Major
Williams, Col.
Williams, Robert
Wilmot, Sir Eardley
Wood, Colonel
Windham, W. H.
Welby, G. E.
Watkins, J. L. V.
Wilks, J.

IRISH.
Blayney, Hon. C.
Barry, G. S.
Butler, Hon. Colonel
Blake, M. J.
Cole, Lord
Conolly, Colonel
Daly, James
Finn, W. F.
Fitzgerald, T.
Fitzsimon, C.
Hayes, Sir E.
Jacob, E.
Lalor, P.
Maxwell, J. H.
O'Connell, D.
O'Connell, Maurice
O'Connell, Morgan
O'Connell, J.
O'Connor, F.
O'Dwyer, A. C.
Roe, J.
Roche, D.
Roche, W.
Ruthven, E. S.
Ruthven, E.
Sheil, R. L.
Sullivan, R.
Vigors, N. A.
Wallace, T.

SCOTLAND.
Bruce, C.
Gillon, W. D.
Gordon, Hon. W.
Grant, Hon. Col.
Maxwell, J.
Sinclair, G.

PAIRED OFF.
Bowes, J.
Denison, W. J.
Fleetwood, Capt.
Handley, B.
Ossulston, Viscount
Tynte, C. K. K.

TELLERS.
Ingilby, Sir W.
Hume, J.

Church Patronage (Scotland.)] Mr. *Sinclair* said, that the subject to which he should now have the honour to call the attention of the House, was one which, at the present moment, excited throughout Scotland an intense and universal interest. In proof of this assertion, he might appeal, first, to the personal knowledge of all the Scotch Members, whom he saw around him; next, to the many public meetings lately held in every quarter of this country, and which had been attended by many eminent ministers, enlightened elders, and other individuals distinguished by their piety, their intelligence, and their attachment to that admirable and Apostolic Church, which God had planted in our land; and lastly, to the multiplicity of petitions transmitted to the House, during the present and former Sessions, remarkable not only for the number, but the respectability, of the signatures appended to them. It had been his intention, and he should only have done his duty, to have entered at great length into the merits of the question; but as his Majesty's Ministers, with a readiness which reflected the highest credit on their patriotism, and which must secure to them the grateful attachment of the people of Scotland, had acceded to his proposition for the appointment of a Committee to investigate the subject, he thought it better to abstain from any remarks, which might lead to unnecessary discussion, and should, therefore, content himself with moving "for the appointment of a Select Committee to inquire into the state of the right of patronage of Churches in Scotland."

The *Lord Advocate* said, that having determined not to oppose going into a Committee, and being anxious that gentlemen should go into it as free as possible from pledges to a particular course, and with minds open to the impressions which the evidence, and discussions which awaited them were fitted to produce, he should follow the example of his hon. friend in abstaining from any argument or statement of opinion on the present occasion. As his hon. friend however, had had the advantage of explaining to the House, on a variety of former occasions, the views he entertained on the subject, it was right that, in acceding to the Motion, he should so far guard himself from misconstruction as to state that he did so accede to it, and did go into the committee, with different views, different wishes, and different anticipations of the result, from those of his hon. friend. He concurred entirely in opinion as to the importance of the subject; and would add his testimony as to the extraordinary interest it now excited in every part of Scotland—an interest and an excitement which, in his opinion, made the parliamentary discussion of the subject no longer a matter of choice, but of necessity. He also believed that his hon. friend and he, however they might now differ as to the means, had but one end in view—the removal of abuses in the appointment of the ministers of religion, and the restoration of the Established Church of Scotland to the highest possible degree both of purity and popularity. In consenting to the appointment of a committee, he did not deny that it was substantially implied that some change or correction was necessary in the existing law, or the practice under that law; and such was undoubtedly his impression. But even those who were most convinced of that necessity, must admit that there was great hazard in such changes, and that the correction, in order to be either safe or salutary, must be gone about with the utmost caution, and with as close an adherence as possible to the known principles and most approved usage of the ecclesiastical constitution. He should not trespass further on the attention of the House than merely to express his confident expectation, that those who went into the Committee with these ends and these principles in view, would come out of it much more nearly agreed as to the practical measures that should be adopted, than any debate in the present immature state of the question could give reason to believe. He had great pleasure, therefore, in acceding to the motion of his hon. friend.

Captain *William Gordon* opposed the Motion, and expressed his surprise that it should have originated in the quarter it had, as well as at the manner in which it had been supported by the learned Lord opposite. He conceived, that the subject to which the present Motion was directed could be much more properly discussed by the General Assembly of the Church of Scotland—a body to which the hon. Mover himself belonged, and which was fully competent to alter and arrange the discipline of that Church. If any alteration should be thought necessary by the General Assembly, it would be then ample time to apply for the intervention of the Legislature. He was at a loss to know what was the object sought to be attained by the Motion; for, in the first place the system of patronage now existing had been established for the last hundred and twenty years, and had been fully recognized by the Church Courts in Scotland. If the inquiry was to be directed to individual appointments, he felt satisfied that the clergy of Scotland would be found to be most unexceptionable both as to character and conduct. He knew very well that, upon inquiry it would be found, that since the accession of the present Ministry to office, the Crown patronge had been applied and disposed of for political considerations, and, in particular, he knew such an instance in a parish in the county he had the honour to represent, where a noble Lord was proprietor of four-fifths of the parish; another proprietor, the possessor of only two farms in the parish, and whose residence was at a distance of seven miles, had obtained the presentation from the political support his family had given to the present Government; and if the object of the Motion was an investigation into this matter with a view to an amendment in the system, he confessed he should not regret the inquiry being commenced; but, on the other hand, if the object of the present Motion went to disturb the whole system of Church patronage (which had existed from the days of John Knox up to the present moment with only two short interruptions), and to substitute in its stead a mode of popular election, he entertained a perfect conviction that it would lead to the utter destruction of the whole Church establishment in Scotland. He therefore must object to the appointment of any Committee of inquiry, as not only premature, but because the House could not properly legislate upon the subject without the entire approbation and consent of the General Assembly of the Church of Scotland.

Colonel *Leith Hay* supported the Motion. He would not have said a word on the subject in its present stage, had it not been for the very pointed allusion made by his hon. friend the member for Aberdeenshire, to a case in which a near relative of his own was concerned. His hon. friend must be aware, that he had mis-stated the real facts of that case. He must be aware that no presentation had in that instance yet taken place, and that the delay was occasioned by the forms necessarily gone through to do away an annexation carried into effect by a former Administration, at the earnest request of the noble Lord, for the purposes of personal convenience; such annexation being at variance with the interests of the community, and one that upon every principle of reason and expediency, as well as in accordance with the wishes of the inhabitants of both parishes, ought to be done away. When such an arrangement had been effected, he (Colonel Leith Hay) had reason to believe the nomination mentioned by the gallant Member would be carried into effect; and when it was, he should be prepared to prove in the first place, that it was granted from no unworthy motives; and, secondly, bestowed upon a person calculated to satisfactorily perform his important duties. He thought his hon. friend who had spoken last had laid down no good grounds against going into an inquiry. The hon. Gentleman had stated, that since the present Government had come into office improper dispositions had been made of the Crown patronage in Scotland. He did not believe that in reality there had been any such case, but, whether or not, it most assuredly could not be considered an argument against granting the Committee moved for by the hon. member for Caithness. The subject of Church patronage now engrossed the attention of a large portion of the people of Scotland. He never had agreed with the party in the Church of which his hon. friend, the member for Caithness was one, but disagreeing as he did on the extent of innovation proposed in the system of election, he also considered he had an important duty to perform in advocating inquiry, and if possible devising such alterations as might prove satisfactory to the conscientious feelings of a large body of excited and enlightened men, and practically useful in strengthening that Church which had for ages conferred benefits of inestimable value upon the community over whom its pure and unassuming influence had been exercised. He was confirmed in supporting the present Motion by a letter lately received from a highly respected individual, one of the leaders of what had been denominated the moderate party in the Church of Scotland, who said, that the subject ought to be taken up by Parliament, and dealt with accordingly. With regard to the point raised, that it would be improper to interfere without the approbation of the General Assembly, he would merely say, that the Committee, if appointed by the House (as he trusted it would) could not have concluded its labours before the next meeting of the General Assembly.

Major *Cumming Bruce*, felt assured that if the Motion were carried it would produce the greatest evils to the Church of Scotland. It was very well known to the House and to the public that, practically, the appointment of such a committee as that now moved for would imply a condemnation of the system of that Church. The question had already been before the general Assembly of the Church, and, by taking it out of their hands, and placing it in those of the House, they would be taking it out of the hands of a much better, and putting it into the hands of a much worse, tribunal. He did not think that even his hon. friend who called upon the House to appoint a Committee would assert that any persons could be found better acquainted with the constitution of the Church, more zealously attached to its interests, or more desirous to uphold its highest objects—the maintenance of true religion—than the General Assembly, or that it was possible to supply from that House a tribunal possessing such qualifications in a higher degree. Who were to be the Committee? Was it to be composed of persons of the communion of the Church of Scotland? or were they to submit its affairs and interests to gentlemen of so many opposite and extreme opinions? He would say, that, in common wisdom, they were bound to avoid all these difficulties, and to leave the experiment of curing the defects in the system of patronage to be tried by the General Assembly. The adoption of the Motion might put the House in a very awkward predicament hereafter. The Committee might come to a Resolution which the General Assembly might think it inconsistent with their duty to adopt. This was a difficulty which had at all events be better avoided, by the House waiting to see what course of proceeding the General Assembly would recommend. Upon these grounds he was sorry the motion had been made, and must oppose it. He would admit, that there were abuses in the mode in which lay patronage was administered in Scotland; but that did not arise from the existing state of the law, but from the abuse of the law. He thought therefore great caution should be used before any step should be taken at all calculated to interfere with the ecclesiastical constitution of the country. There were certain powerful parties in Scotland, who had undoubtedly in some instances taken away from the people the power they ought to exercise upon an election of their ministers. He wished to see their just power restored and maintained; but he denied that they ever legally exercised, or were entitled to the power of nomination. Before incurring the dangers involved in this Motion he thought the House had better consider the effects which had been produced by the Church of Scotland even under the system in which such abuses did exist. If any man took a fair and candid view of the condition of Scotland—of the character of the people—their advancement in moral education, and their disposition to obey the laws, he must admit that the ecclesiastical constitution as it at present stood had worked substantial benefits for that country. The subject was, as he had already stated, under the consideration of the General Assembly, by whom much progress would be made with regard to it without any legislative interference. The last time the question was brought before the General Assembly, it was lost by a very small majority, and the majority of the clerical members of that body voted for it.

Mr. *Cutlar Fergusson* said, that the opposition which was made to the appointment of a Committee, on the part of the hon. members for Aberdeenshire and Inverness, was grounded on the assumption that the matter of Church patronage was fit for the consideration of the General Assembly of the Church of Scotland, and not of Parliament, and that they ought to wait for the decision of that body in a matter which was peculiarly of their cognizance; and the hon. member for Aberdeenshire seemed to say, that the General Assembly of the Church, acknowledging no head of the Church upon earth, might not consider themselves bound to abide by what might be done in Parliament on the subject of this question. To this extraordinary doctrine, he (Mr. Fergusson) would only say, that the General Assembly had no power or authority to legislate in the matter; and that if the rights of patronage were to be in any way touched or affected by the measure which was contemplated, the General Assembly was wholly powerless in such a matter. But did the hon. Member not know, that this was not the first occasion on which Parliament had been called upon to legislate, and, without any sanction from the General Assembly of the Church, did legislate in this very matter. If Parliament had never legislated in this matter, the House would not have been called upon that day, to deliberate on the subject. In the reign of Queen Anne, during the Jacobite Administration of that Queen, and with the express purpose, as the memoirs of that time inform us, of exciting discontent in that country, and of favouring the cause of the Pretender, and obstructing the expected succession of the House of Hanover, the right of the parish, through the elders and heritors, to present to the vacant benefices, which right they had exercised and enjoyed, without abuse, under the control of the Church Courts, and by the authority of the Act of the Scottish Parliament of 1690, was taken from them, and given, or, as it is said, restored to the patron. The preamble of the Act of Queen Anne, asserted an untruth, namely—"that the Act of 1690 had occasioned great heats and divisions among those who by that Act were instructed to call Ministers," whereas, in point of fact, as had been shown by Sir Harry Moncrief, in his work on the Constitution of the Church of Scotland, there never was a period, during which the settlements of ministers were so free from such heats and animosities, and when they gave such great satisfaction to the people of Scotland, as during the period from the passing of the Act of 1690, to that of the Act of Queen Anne. It appears, that although there were many cases, during that period, appealed to the Church Courts, the final decision was always acquiesced in, and that there was no instance in those days of a church being deserted on account of the settlement of any Minister. He regretted to say, that a very different state of things had prevailed since the restoration, as it was called, of the ancient right of patrons. He would give no opinion on the best means of remedying the abuses, which were admitted by all to rest on the exercise of that right. Whether the parish, or the heritor and elders representing the parish, should solicit and propose to the patron the persons whom they should deem fit to succeed to vacant livings, and such choice should be subject to the approbation or rejection of the patron, or whether the patron should propose, and the parish approve or reject, and whether any difference, or want of concurrence between the parties, should be submitted to the decision of the Church Courts —and whether such selection of the ministers should partake more or less of the nature of popular elections—were questions for the Committee, on which he would not then offer any opinion. All he was then disposed to contend for, was, that every means should be taken to prevent the intrusion upon a parish of a minister, against the declared sense and will of the congregation. This had been at all times considered as the leading principle of the constitution of the Church of Scotland; and he had often said, and he would then repeat it, that no plan should have his support, that did not give to the people of Scotland a real, substantial, and, he was inclined to add, a prevailing voice in the nomination of the ministers of religion. He need not impress upon the House the great importance of the subject. No question had ever excited so intense and deep an interest as this question, in the country to which he belonged. The universal voice of the people of Scotland called for some important change in the system of patronage. He was a determined friend to the establishment of the Church of Scotland; and it was as a friend to that establishment, that he supported the proposition of his hon. friend, for the appointment of this Committee; and he earnestly hoped and believed, that the result of the labours of that Committee would be to maintain and strengthen the foundation of that Church, to which he considered Scotland to be chiefly indebted for her present condition of moral and religious welfare. To maintain and preserve the true principles of the constitution of that Church, he would give his cordial assent to the inquiry sought to be instituted by his hon. friend, the member for Caithness.

Sir *Robert Peel* said, that, in his opinion, it would be waste of time to enter into arguments on the subject of Church patronage at this time, when a Committee was about to be appointed for the purpose of inquiry. Any arguments which he might be prepared to state against the Committee when the learned Lord had consented to the Motion, he was sure would be overruled. The hon. member for Kirkcudbright said, that the question must be decided by argument, but he (Sir Robert Peel) had not heard a single argument on the subject. The hon. Member also said, that there was a universal demand in Scotland for a change in the system of patronage. How was the House to judge of that feeling?—By petitions. There had been only ten petitions on the subject of Church patronage from Scotland presented during the whole of the present Session. The feeling was, therefore, not so strong as the advocates of a change would have them to believe. But supposing, that many petitions were presented, yet it was plain, that the object of them was to deprive one class of men of their rights, in order that they should be transferred to others. These rights had been recognised for upwards of 130 years, and they were as sacred as the rights of advowson in the Established Church of England. No inquiry could now be instituted into the conduct of the Parliament which established those rights, because such inquiry would lead to the destruction of the rights by which every species of property was held. If, as had been admitted, the patronage of the Crown was exercised with proper judgment—if there was a disposition to conciliate the prevailing feelings of the people, but, at the same time, to maintain such a control over them as to prevent an improper appointment—he thought such a privilege existed for a most useful purpose, serving as the link between the Church and the Crown which was sanctioned by the law. If that power and authority were exercised for the purposes of political partisanship, he would say such conduct constituted good grounds for investigation; but if it were honestly exercised for the purpose of rewarding young men of merit, who, though they might be unknown to, and unconnected with any parish, might still, if appointed to it, be of great service to the inhabitants, he would maintain, that the power of the Crown, so far from being diminished, should, if possible, be extended. But the real object of this Committee, was to introduce popular elections into the Church of Scotland, and he much doubted if the change would be found of advantage. It would lead to canvassing, and all the other evils of that species of election. If the result of the labours of the Committee were to destroy the patronage of the Crown, and place it in the hands of heritors, so far would the change be from doing good, that it would give less security for the choice of proper persons to officiate in the ministry than at present. Nay, more, by such a change, the harmony of parishes would be risked, in consequence of the bitter enmities which the opposing interests in a canvass would engender. For these reasons, he could see no prospect of improvement in the state of the Church of Scotland, from any alteration in the present laws.

Mr. *Colquhoun* said, that the right hon. Baronet (Sir Robert Peel) had complained, that his hon. friend (Mr. Sinclair) had not stated sufficient grounds for his Motion for a Committee. His hon. friend had unquestionably felt, that in a case, at once so simple and so strong, it was sufficient to rest upon the proposal itself as its own justification; and so strong, indeed, had the case appeared to his Majesty's Government, that however averse they were to entertain the question, they had felt it impossible, with any colour of reason, to refuse his hon. friend's motion. What was his hon. friend's proposal? An Act of Parliament, the law of the land, was declared to be at variance with the canons and express constitution of the Church of Scotland. His hon. friend did not call upon them to repeal this—that was not then his proposal; he called upon them to inquire, through a Select Committee, whether the law was thus, indeed, at variance with the constitution of the Church, and what effect such a state of law produced upon the efficacy of the Church, and the feelings of the people. The right hon. Baronet compared this to an attack upon the right of advowson in the Church of England. Was there any canon in the discipline of the Church of England—was there any part of the constitution of that Church, which declared the right of advowson to be inconsistent with her principles? Yet, in the Church of Scotland, the right of patronage was specifically declared to be inconsistent with her discipline, and publicly denounced. Here, then, was an evident distinction between the two cases—in the one, a legal right to which the Church entirely conformed; in the other, a legal right, with which the constitution of the Church, and that the Established Church of part of this empire, was at direct variance. Was it unreasonable, that his hon. friend should call upon them to inquire into this singular anomaly—to examine, and, at least, to appreciate this diversity between the law of the land, and the law of the Church. His hon. friend sought for no declaration of opinion from the House, against the rights of patrons—he sought for nothing but a Committee of Inquiry, to discover what these rights were, and what the constitution of the Church was, to which they were said to be opposed. He would not follow hon. Members into the discussion of the question of patronage, nor would he be induced to take up the question mooted by the right hon. Baronet, of popular election of ministers. This only he would observe, that many individuals in the Church of Scotland, ministers of that Church, eminent in it for learning, were as opposed as the right hon. Baronet could be to a plan of popular election; and yet, holding that opinion, they not the less strongly maintained, that the rights of patrons were inconsistent with the principles of the Church, and ought to be extinguished. The question of popular election, therefore, was in no way involved in the present discussion. Believing, therefore, that his hon. friend's proposal was one so simple and equitable, that no reasonable opposition could be made to it, he trusted, that the House would feel, that his hon. friend had a fair and adequate claim for the Committee which he sought.

Mr. *Gillon* said, that if the General Assembly were inclined to legislate on the subject, they had not power; and if they had the power, still they had not the inclination. The demand for a change was universal, from one end of the country to the other, and he thought, that it was then full time to make inquiry regarding it. The right hon. Baronet had objected to the election being put in the hands of the heritors; but did the right hon. Baronet know, that the heritors were but a very small portion of the intelligent inhabitants of a parish? There were many among the inhabitants of Scotch parishes, who were not heritors, yet were as intelligent, as well educated, and as proper judges of the qualifications requisite in their pastors, as any heritors could possibly be. He did not think, that the powers of election should be confined to the higher classes of society. If an Established Church meant anything, it meant, that the Church was established, not for the advantage of any particular class, but for the whole body of the people. He was confident, that nothing would satisfy the people of Scotland but giving to householders the right of choosing their own ministers. This was the feeling abroad. The call for a change was loud and incessant. He would support the Motion of the hon. member for Caithness, for he thought it would tend to detach the Church from the aristocracy, whose influence had always been baneful to its interests, as they employed the patronage for the purposes of political partizanship, rather than morality.

Mr. *Sinclair* said, he had been reproached for having adduced no arguments in support of the proposition which he had submitted. He had adopted this course in order to save the time of the House, especially at so late an hour, and because he was not aware that any opposition would be offered to the Motion, or that any Scotch Members would turn a deaf ear to the prayers of so large a portion of the Scotch people. His hon. friend, the member for Aberdeenshire, had justly stated, that the Church of Scotland acknowledged no head but Jesus Christ. He wished that this doctrine had been held and acted on by the Tories of 1712. He should then have been spared the task of endeavouring to rescue the Christian population of Scotland from that galling yoke which Jacobite high-churchmen had imposed at that most inauspicious period. It had been maintained that patronage had at all times existed in the Church of Scotland. He had intended to have tried that system by the three-fold test of Scripture, Church usage, and expediency; but should not now enter on so wide a field, as he had so much reason to hope, that the subject was about to undergo a complete and dispassionate investigation. He himself had often expressed, and still continued to entertain, a strong opinion in favour of the rights of Christian people; but he should listen with the utmost attention to the sentiments of others, whose knowledge and experience entitled them to deference and respect. The General Assembly, whose sittings were limited to a few days, and which was employed, not only in debating many other important questions, but in hearing appeals from the decisions of the inferior judicatories, could not devote to the consideration of this question all the time which its importance required. In fact, he was only following up the views entertained and expressed by former Assemblies, from the reign of Queen Anne, until 1784, when the opposition to patronage was suspended, partly from the spiritual apathy which that system engenders, and partly from the utter hopelessness of success, whilst a Tory faction continued to lord it with a high hand over the dearest rights of the Scotch people. He had in his possession abundant proofs of the abhorrence in which this Church held patronage in her better and purer days; but should only read at present a few extracts from the declaration of the General Assembly in 1736. The hon. Member read the following extract:—

Edinburgh, May 22, 1736.

The General Assembly having taken into their serious and deliberate consideration the Report of the Commissioners from the last General Assembly, sent to London to apply for redress of the grievance of patronage; and that in order to deliberate what resolution was proper for this assembly or this church to take, as to their future conduct with relation to this grievance; did thereupon agree upon this opinion and resolution—'That the Church of Scotland is, by her duty and interest, obliged still to persist in using her best endeavours, from time to time, to be relieved from the grievance of patronage, until the same shall, by the blessing of God, prove successful, and, for that end, that this Assembly shall impower and direct the commission to be appointed by them, to make due application to the King and Parliament for redress of the said grievance, in case a favourable opportunity for so doing shall occur during the subsistence of that commission. And this Assembly doubts not that future General Assemblies of this Church will, from time to time, be watchful and attentive to this weighty concern, and will not fail to make the like proper applications, whenever, by the Providence of God, a fit occasion shall offer itself. And as the intent of such applications are in order to procure to be restored to this Church a valuable right and privilege she was possessed of at the Union of the two Kingdoms; so the grounds and reasons of the claim of this Church to be restored to the enjoyment of that right are so strong and pregnant, that notwithstanding the unsuccessful event of the late applications, this Assembly cannot but hope, that some like application, renewed at a proper season, will prove successful. * * * * That notwithstanding the security of this our happy Establishment, in all its parts, was as great and as solemn as it was possible for human laws and constitutions to devise or execute, yet in prejudice of that security, as we apprehend, the Act in the tenth year of Queen Anne was passed, restoring to patrons the power of presenting, and suffering them at the same time to retain the valuable equivalent which they received by the 23rd Act 1690. And this act, 10th Annæ, it is well known, and always has been declared, was imposed upon this Church by means of persons of our own country, who were enemies to the Protestant succession, as they soon after discovered, in the strongest manner, and enemies to this Church, and to create discontents amongst the people therein, and to open a door for patrons arbitrarily to impose upon the people, as Ministers, persons proper for instilling into their minds principles of disloyalty and disaffection to the present happy constitution; which circumstance of the season and design of imposing this grievance, which appears to us an infringement on our established constitution, must ever afford an additional argument and encouragement in our applications to the Royal Family now reigning, and whom we daily pray to God ever to preserve and prosper."

This precious memorial (he continued) of the fond attachment which our ancestors cherished towards the liberties of this Christian people, bore him out in the assertion, that, by calling for the interposition of Parliament, he was only invoking the aid of that tribunal, to which former assemblies, from year to year, had instructed their Commissioners to appeal. Another object, which he had much at heart, was, to ascertain with precision, not only the grounds on which the original seceders had left the Church, at the time of that unhappy and unhallowed contest, which had driven some of the ablest and most zealous champions of the Establishment from its pale (chiefly on account of the grievance of patronage); but also whether any reasonable concessions and salutary arrangements could be devised, which might enable those seceding congregations to return to the bosom of the Establishment, which had not yet cast off their allegiance to one of the fundamental principles of Presbyterianism, that there should be an indissoluble union between Church and State. Instead of entering upon any calculations of his own, he should read an extract from a communication sent to him by his excellent friend, Dr. M'Crie. The hon. Member again read the following extract:—

'Of Presbyterian dissenting congregations in Scotland there are 498 settled, or having Ministers, according to the Almanack. Of these, nineteen are in England, and seventy-four vacant congregations have to be added, making in all 553 congregations—half the number of parish Churches in Scotland, and 100 more. How many of these would return to the Establishment, if patronage were abolished, I cannot pretend to say; but I have no hesitation in saying that, if the abolition had taken place twenty or thirty years ago, the number would have been much greater, and every year that it is allowed to remain will render the hope of return less, and increase the ranks of those who are hostile to all Church Establishments.

That surely demonstrated the expediency of appointing a Committee to inquire into this branch of the subject; one into which, for obvious reasons, the General Assembly itself could not be expected to enter. There were many other observations, which he should have been anxious to have made, but he could not think of further intruding on the attention of the House at so unseasonable an hour. He augured much benefit to the Church and people of Scotland from the appointment of this Committee. He trusted that its labours would be conducted in a spirit of calmness and forbearance, and of that wisdom which it is profitable to submit to, so that its results might be conducive to the glory of God, and to the prosperity and permanence of our Establishment.

The Committee was appointed.

PROCURATORS FISCAL (SCOTLAND.)] Mr. *Murray* said, that in moving for leave to bring in a Bill for the appointment of Procurators Fiscal, similar to that which was brought forward during the last Session, he did not think it necessary to take up much of the time of the House, further than to explain very shortly the nature of the appointment. In every Sheriff's Court there is a Procurator Fiscal, who, with the exception of cases which are conducted by private parties, and these are very few in number, is the prosecutor in all criminal proceedings. Before the Rebellion which took place in 1745, the office of Sheriff had become hereditary, but by the Jurisdiction Act, which was passed in the 20th of Geo. 2nd, the hereditary Sheriffs were abolished, and it was provided that Sheriffs Depute, of certain prescribed legal qualifications, should in future be appointed by the Crown. In the old Courts, the Procurators Fiscal, and all the other officers of Court, were appointed by the heritable Sheriffs. In establishing the sheriffs depute, no provision had been made with regard to the appointment of procurators fiscal and the sheriffs depute some how or other came to appoint them. The sheriff, who is a Magistrate and a Judge, claimed the right of appointing, in at least nineteen out of twenty cases, perhaps the average of ninety-nine out of 100 would be nearer the truth—the prosecutor, both in the cases which came before him as a Magistrate, and in those which he was to try as a Judge; and the Sheriffs have declared, that they consider it necessary that the Procurator Fiscal should be a person on whom the Sheriff can repose implicit confidence, and who is completely under his control. This was what he objected to. In every proceeding before a Magistrate or a judge, the prosecutor and the judge ought to be kept perfectly separate and distinct. If the prosecutor was to be always under the control of the Judge, and in his implicit confidence, the prosecution must be regarded, in many instances, as the prosecution of the Magistrate, not that of the apparent prosecutor, for the party must feel that if the Judge was averse to the prosecution it would not have been instituted; and if, on the other hand, it was a case in which the person whose apparent function it was to prosecute was averse from prosecution, he could not venture to disobey the intimation of the Judge, that it was a case in which the Judge thought there ought to be a prosecution. The question for the House to consider was whether this were consistent with the due administration of justice in any country. Many of the Members of the House were well acquainted with every part of judicial proceedings. Would it be endured for one day in England, that the Magistrate or the Judge should exercise the right of appointing the prosecutor or the prosecutor's attorney, and that he must be a person in his implicit confidence, and under his immediate control. No doubt where any abuse had crept in, arguments might be found to support and defend it. If the Judges had been accustomed in any Court to appoint the attorneys and counsel both for the plaintiff and defendant, it might be contended that this contributed greatly to the good of the proceedings—that the Judge was better acquainted than any other person with the character and talent of the attorneys and counsel in his own Court—that he would appoint none but those who were well qualified—and that any change would deprive him of the proper control over the proceedings. He (Mr. Murray) had no doubt that if such a practice had any where crept in, these and similar arguments would be used to defend it; but they could not weigh against the unalterable principles upon which all legal proceedings ought to take place in order to put the accused on an equal footing with the accuser, and give confidence to the country in the administration of justice. The only objection he had heard stated against this measure was, that it would increase the influence of the Crown; but it must be recollected that all the Sheriffs were appointed by the Crown. The only difference, therefore, was, whether the Crown appointed the Sheriffs, who appointed the procurator fiscals, or whether the Crown should appoint them directly; but there seemed at the present time no reason to apprehend that the influence of the Crown was increasing. On the contrary, it had been materially diminished. The House had been informed that upwards of 1,300 offices in the appointment of the Crown had been abolished, and no person could deny that the rights, privileges, and power of the people had been gradually augmented. To state the objection, that this would increase the influence of the Crown, was to resume an argument which, in former times, might be entitled to great weight, but which never could have less than in the present time. But if this measure had come before Parliament, even in those times when the influence of the Crown was most to be dreaded, he did not conceive it would operate against a change which was necessary to place the administration of justice on a footing which would put it beyond all suspicion; and remove from it a glaring and manifest defect which it appeared impossible for any fair or reasonable man to defend, and without which it could never be said to possess that entire confidence and veneration which was the best support of judicial establishments.

Captain *William Gordon* declared that if the Bill were similar to one upon the same subject which was introduced last Session, he should oppose it.—Leave was given.

The Bill was read a first time.

HOUSE OF LORDS,

Friday, February 28, 1834.

Minutes.] Bills. Read a second time:—Exchequer Bills Transfer of Aids.

Petitions presented. By the Bishop of Bath and Wells, from several Places, for Protection to the Established Church.—By the Earls of Sefton, Uxbridge, and Fitzwilliam, Lord Holland, and the Marquess of Lansdown, from a Number of Places,—for Relief to the Dissenters.—By the Bishop of Lichfield and Coventry, and the Bishop of Bath and Wells, from several Places, —for the Better Observance of the Lord's Day.—By Viscount Melbourne, from two Places, for the Abolition of the present System of Church Patronage in Scotland.—By Earl Fitzwilliam, from the Chamber of Commerce in Edinburgh, for the Abolition of the Corn Laws.—By the Earl of Durham, from Ardquir, for the Abolition of Tithes in Ireland.

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HOUSE OF COMMONS,

Friday, February 28, 1834.

Minutes.] Bills. Read a first time:—Illegal Securities.—Read a second time:—North American Postage; Marine Mutiny.—Committed:—Smuggling Act Amendment;

Petitions presented. By Mr. Roche, from Borer, for the Abolition of Tithes.—By Sir Edward Knatchbull, from Romney Marsh, for the Abolition of the Horse Tax.—By Mr. Heathcote, and Lord Cavendish, from several Places, for Extending the Term of the Labourers' Employment Act.—By Messrs. Cayley, Pease, Lock, Mangles, Wilks, Russell, Ward, and Benett, and by Sir George Skipwith, Sir Charles Cockerell, and Colonel Davies, from a Number of Places, for Relief to the Dissenters.—By Mr. Roebuck, from Bath, for Corporation Reform.—By Mr. Ward, from Westminster, for an Inquiry into the State of the Sewers in the Metropolis.—By Mr. Blackburn, Mr. Sinclair, and Mr. Andrew Johnston, for an Alteration in the System of Church Patronage in Scotland.—By Messrs. Sheil, F. O'Connor, Fitzgerald, and Fitzsimon, and by Colonel Butler, from several Places, for the abolition of Tithes.—By Lord Acheson, Colonel Butler, and Messrs. Sheil, F. O'Connor, Finn, and C. Fitzsimon, —for the Repeal of the Union.—By Mr. Blake, from certain Prisoners in the Town of Galway, against Imprisonment for Debt.—By Mr. Blackburn, from Hayley and Clent, for the Repeal of the Sale of Beer Act.—By Lord Cavendish, from three Places, for the Abolition of Tithes.—By Mr. Holdsworth, and Mr. Ross, from two Places, against any Measures tending to weaken the Efficiency of the Church of England.—By Messrs. Lyall and Brotherton, from Carnarvon, and St. Peter's, Cornhill, for the Better Observance of the Lord's Day.—By Mr. Wallace, from Greenock, for making Steam Vessels pay an equitable portion of Lighthouse Duties.—By Mr. Christmas, from Waterford, that Vessels trading to and from that Port may not be subject to Compulsory Charges for Pilotage, &c.

Sugar Duties.] The House having resolved itself into a Committee of Ways and Means,

Lord *Althorp* said, that in rising to propose the continuance of the Sugar Duties agreeably to the notice he had given, it would not be necessary for him to trouble the Committee with any details. It was not his intention to suggest any alteration in those duties; taking into consideration the general pressure of taxation, he did not think that any reduction of them would be expedient, nor would it be wise to introduce any change in the proportions in which they were levied. The great measure of last year which was yet only in the infancy of its operation seemed to render it peculiarly improper to deprive the planters of the West Indies of any advantage they at present enjoyed. To do that might endanger the success of the experiment, which there was now every reason to hope would succeed to the utmost extent of the most sanguine expectations. He should merely move, therefore, the continuance of the Sugar Duties; but to do that he should propose that the renewal should not extend to the 5th of April, which would be four quarters, but to the 5th of July as formerly, which would be five. The change in this respect had been made at a time when it was thought the duties might perhaps be reduced, and they were, therefore, only taken for three-quarters of a year. The 5th of July was, on other accounts, the most convenient period, at which these duties should terminate. He would mention one. It was desirable to vote the estimate before the ways and means, and, acting on that principle, it might happen that the sugar duties, if taken only till next April, might lapse before the House could pass an Act to renew them. As he did not, however, anticipate that any objection would be made to his Motion, he should content himself with moving, "that towards raising the supply, the several duties on sugar and molasses imposed by the Act 1 William 4th, and the bounties thereon, should be further continued.

Mr. *Cutlar Fergusson* had hoped that after 20,000,000*l.* had been given to the West-Indian Proprietors last year, something should be done for the East India colonists this year. It seemed to him that no opportunity could have been more favourable for equalizing the duties on East and West-India sugar than the present, for the duties upon the sugars respectively produced in the East and West Indies were now most unjustly disproportioned. They ought to have been equalized some time ago. The East-Indians had as fair a claim upon the justice of Parliament, as the West-Indians, and had as good a right to expect that their interests should be consulted. He had expected that a petition would this day have been laid before the House from a great and influential body connected with the trade of the East Indies, but in truth their claim did not require to be enforced, since it was self-evident. He did not mean to divide the House, nor to make any specific proposition upon the subject, but he was certain that the planters of India would not be satisfied until they were put upon
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the same footing as the planters of the most favoured part of the King's dominions. It was very well to talk of reciprocity, but there was no reciprocity towards the merchants of India. Their cottons and woollens were taxed to four times the amount paid by the cottons and woollens in England when imported into India, and the result was, that thousands and tens of thousands of inhabitants of Hindostan had been thrown out of employ by the destruction of the trade. In one district half a million of people had been deprived of the means of subsistence. Parliament never considered what could be done for them, but what could be done for our own manufacturers. The East Indian Colonists had been much injured and aggrieved by the favouritism shown to the West Indian Colonists. While England had been enriched by the produce of India, the latter country had been impoverished by the narrow policy adopted towards it by England. He trusted, however, that the noble Lord would at least give the East Indians some assurance, that at some definite and not far distant time, what he might call the scandalous partiality shown to the West Indies would be put an end to.

Mr. *Ewart* thought the policy adopted by Government towards the East Indies most unwise and unjust. That country had for many years groaned under the cruel oppression of the East-India Company; and if the present proposition were adopted, it would not have much less reason to complain of the system of legislation adopted towards it by the English Government. It was time, however, to redress the wrongs of that much-injured country, for it cried aloud for redress, and it would make its cries heard. It had been truly said by the hon. Member, that the manufactures of India had been superseded by the manufactures of Manchester. The East Indians had a particular right to complain of the gross favouritism which was apparent in the different amount of duties charged upon their exports and the West-Indian exports. While West Indian sugar was only charged with a duty of *24s.* per cwt., East-Indian sugar was charged *32s.* The duty on West-India coffee was but *6d.* a pound, while *9d.* was charged on East-India coffee. North American tobacco was charged only *2s. 9d.* a pound duty, while the duty on East India tobacco was *3s.* Pimento pepper was charged *1s.* per pound, while Indian and all other peppers were charged *1s. 3d.* He was sorry that the present proposition had been brought forward so suddenly as to prevent the possibility of having previously laid before the House the immense number of petitions which he was sure would have poured in against the proposition, had it been anticipated. He trusted, however, that the House would show itself as just to the East-Indian colonists as to the other colonists. A discriminating policy with reference to our colonies would not only be injurious to the colonists themselves, but to England.

Mr. *Warburton* regretted the course taken by Ministers on this occasion, not only on account of the injustice done to the East Indians, but of the injury it would occasion to England itself. According to the report made by that distinguished chemist, Dr. Ure, there was no longer any doubt that the West Indians received a bonus of *5s.* per cwt. on all sugar refined for exportation, which, taking the total of the sugar so refined, would be found to amount to several hundreds of thousands of pounds. This was one of the subjects which, whenever the House appointed a Committee to inquire into the general system of taxation, could not fail to come under consideration. He thought, however, the present an appropriate time for discussing the whole subject of the sugar duties, for the West Indians, who had hitherto been accustomed to urge their distresses as a reason why the advantage enjoyed by them should not be altered, had now not only received a bonus of so enormous a sum as 20,000,000*l.* but had obtained permission to refine their sugar, as well British as foreign, in bond. He would ask the right hon. Vice President of the Board of Trade whether any step, and what, was in contemplation by Government in consequence of the Report made by Dr. Ure.

Mr. *Hutt* thought it a mistaken principle to attempt to govern a people by laws measured by the latitude and longitude in which they might live. The Colonists, whether East or West Indian, were subjects of the King just as the inhabitants of this country, and they were justly entitled to the same consideration with ourselves. If, however, Government persisted in neglecting so great a nation as the East Indian, they must not wonder at any ill effects which might result.

Mr. *Poulett Thomson* said, that with reference to the experiments of Dr. Ure, he had stated, when the subject was under discussion last year, that the results should be laid before the House, which had since been done; and though the hon. member for Bridport had overstated the bonus paid on every cwt. so reputed, yet he (Mr. Poulett Thomson) thought that a bonus of 4*s.* might be named as the correct sum. The loss to the revenue (though owing to the decreased export, it did not amount to so much last year) he estimated at 700,000*l.* owing to the increased price. He had investigated the subject, and had endeavoured to devise a plan whereby to remedy these losses; nor did he despair of doing so. At present, however, he concurred with his noble friend in thinking, that it would not be advisable to make any alteration in these duties, till the result of the West-India Act of last Session was seen. The equalization of the duties was only a question of time; and when the difficulties which he mentioned were removed, the subject would be open to consideration.

Mr. *Ruddell Todd* said, that equal justice ought to be done to the East Indians and to other Colonists. If, however, the noble Lord would say he intended, within a certain definite time, to do this justice to the East Indians, this would be some satisfaction to them who were at any rate entitled to hear some reasons for the present proceedings, and some defined hopes of speedy justice.

Lord *Althorp* was well aware of what was due to the East Indians, and was inclined to give them that due, and all that they required was time to see the working of the Act passed last Session with reference to the West-Indian Colonists. He thought it would not be advisable to increase the pressure on the latter Colonies till the effects of that measure were seen. He repeated that the present proposition was merely for a temporary purpose, and he hoped the House would agree to it.

Sir *Robert Peel* hoped, that the hon. Gentleman (Mr. Ewart) would persevere in his intention of submitting the present highly important subject to the grave consideration of the House, in order that they might clearly understand the situation of the parties interested in its adjustment. As far as he could comprehend its bearings, an act of greater injustice towards the natives of India could not be done than to continue upon their produce the unequal rate of duty at present levied. Although an attempt to establish discriminating duties between two countries might not by the one aggrieved be considered as an open declaration of war, yet it would not fail to make that country regard the attempt as a marked indication of hostility. The House might at all events depend upon it there was a growing intelligence in the natives of India that could not fail to make them feel most keenly the degree of favour shown to the West-India colonists in comparison with that extended to them. It ought, however, clearly to be understood whether the present rate of duty on East-India produce was to be considered permanent or not. He was disposed to agree with the noble Lord in thinking it might be inexpedient at the present moment to add to the difficulties of the West-India planter by proposing any change, but he at the same time thought that those whose capital was invested in East-India securities had a right to know whether the present unequal rate of duty on the produce of that country was to kept up.

Lord *Althorp* had already stated that it was solely in consequence of the position of West-Indian affairs at the present moment he was withheld from proposing an alteration in reference to the proportions in which the sugar duties were levied; and he did not hesitate to say, that as soon as the success of the measure of last Session was established, it would be most unjust to allow the present unequal rate of duty on East-India, as compared with West-India, produce to continue.

Colonel *Davies* said, that the West Indians would be very little benefited by anything that had been done, if the restrictions at present placed on their exports and imports were not taken off. The bonus of five per cent on refined sugar was not given to the planters, who derived no advantage from it, but to the refiner. As to the injury done to the Indians, it was well known that the government of the Company was equal and mild compared with that of the native chiefs.

Mr. *Patrick Stewart* begged to remind the House that the East-India sugar-grower was enabled, owing to the low rate of labour in India, to send his produce into the market on far more advantageous terms than the West-India planter. He contended that there ought to be no further reduction of duties upon East-India sugars. He was ready to acknowledge that the West-India Colonies had met with very fair and just treatment from that House in the last Session, and he wished to see ultimately a fair competition between the Colonies; for he was willing to confess, that it was only in point of time and circumstance that the West Indians could claim the renewal of what they had asked for. The mother country ought to know no distinctions between her colonies, except those which had arisen from circumstances for which she was herself responsible.

Mr. *Cutlar Fergusson* hoped that Ministers would act impartially, and hold out fair hopes to the people of India. The recent regulations with respect to the settling of Europeans in India would have no beneficial effect unless they were accompanied by a more liberal policy with respect to the trade with those regions. The people of India would soon grow impatient of speaking to that House through the medium of humble petitions, and would feel that they were entitled to be heard in defence of their rights.

Mr. *Wolryche Whitmore* would trespass on the House but briefly, as another occasion would be presented in the course of the Session in which the present subject could be more deliberately treated. He hoped that the time was not distant when Ministers would themselves bring forward the subject. Unless the produce of India were admitted into the home market, no advantages could be derived from the measures of last year. India opened an infinite field for the sale of the manufactures of this country, and he trusted that the policy of free trade would make these advantages available. The duties upon foreign sugars were now completely prohibitory, and the sugars of the West Indies and the East Indies alone came into our markets. Alterations of the duties must be made, for the West Indies would shortly be unable to afford a sufficient supply. The country would not have been satisfied to vote 20,000,000*l.* last Session in aid of the West Indians had it not been under the impression that the duties would be equalized. In point of fact the West Indians now derived an advantage from England of 1,500,000*l.* a year, 800,000*l.* being the interest of the 20,000,000*l.*, and 700,000*l.* being received for bounties upon exportation.

Mr. *Secretary Stanley* was happy to perceive that there was a uniformity of opinion amongst all the hon. Members who had addressed the House upon the subject before them. All seemed to agree as to the necessity of adjusting and assimilating the duties at no distant period. There were two points which urged themselves upon the consideration of the House. The first was, the impolicy, if not the inexpediency, of affording protection to any one colony in particular, to the disadvantage or injury of the others. And it would, in the next place, be highly improper and inexpedient, in the present state of things, consequent upon the alterations made in the condition of the slave population of the West Indies by the Act of the last Session, to make any further experiments until the working of that measure had been fairly tried. In compassing that measure Government had many difficulties to contend with. They had to bring public opinion over to a measure involving a certain loss, and they had to contend with strong prejudices, to provide against numerous, and in some instances, perhaps, unforeseen dangers, and to wrestle with difficulties that at first sight appeared all but insurmountable. But by the liberality of Parliament adopting a course as wise as it was prudent, the dangers and difficulties were overcome. The result had proved that the measure was wise and prudent, even though accompanied with an expense of twenty millions. The success of the experiment had fully justified it, and time had given assurance that there was no danger of those fearful insurrections—those tremendous convulsions, and dreadful disturbances which some had foreboded, and which even the most sanguine could scarcely assure themselves would not occur. The prospect of success from the measure was daily augmenting, the hopes growing more healthy, the fears diminishing, and it would, therefore at present, be highly impolitic to mar a measure which had so happily begun. Any alteration now would be exceedingly premature—it would be but the letting loose of fresh elements of discord where strife had but just subsided. His noble friend had fairly stated, that time was the ground of his objection. He would make the same remark. In his official capacity he disclaimed the intention of favouring any one particular colony to the exclusion of others; but in taking the subject of the equalization of the duties under their consideration, the House was bound to remember, that the West Indies were subject to restrictions from which the East were free. Before proceeding with the equalization, the West Indies had a claim on the Government to relax the restrictions which pressed upon them, and assuredly, previously to an attempt to equalise the duties, it would be imprudent and unadvised in the highest degree to endanger the success of the late attempt by a disturbing force. The House was further bound to give to the West Indian interests full, fair, and timely notice of the intention to equalize the duties, that preparations might be made accordingly. Certainly an intimation would be given by the discussion of that evening. The feeling which every gentleman had expressed upon the subject of freedom of trade, and, more significant than all, the strong hint conveyed by the decided opinion expressed by the right hon. Baronet, the member for Tamworth, against any protection being afforded—would give sufficient notice to those parties in the West Indies who were concerned in this matter, that they must not expect a continuance of these duties in their favour. All he asked of the House was, not to be premature—not, at a moment of great difficulty and delicacy, to interpose additional obstacles to the settlement of the most important question ever discussed, but fairly to avow the principles upon which they desired to act. Let them not, like his hon. friend, the member for Lancaster, profess such notions as waiting till the price of labour had equalized itself in the West and East Indies; but, giving the West-India trader the protection which he had a right to claim—giving to a new state of society the means of settling itself—giving to this country the means of judging of the effect of the recent measures, and the probability of future cultivation — giving time for the settlement of these countervailing forces, admit the principle upon which Government ought to proceed, so as to lean towards placing on an equal footing the rival productions of the two countries. He hoped the House would not only not show a continued desire to make alterations which it was inexpedient to make, but would not ask him to pledge himself (which it was impossible he should do) to a fixed or definite period when alterations should take place. Admit, he said, the broad principle—watch the course of events—see how soon in this, as in every thing else, you can bring your theories into practice, but do not bring them into practice unless you are satisfied there are no obstacles which would interpose between them and their proper working, He trusted that the House would pursue this prudent course—he trusted that, giving free scope to the feeling pervading the country, and reflected upon the House, they would not act with precipitation, but, nevertheless, pursue steadily and cautiously, a course which justice and expediency alike demanded from a nation so extensive, and with such extensive commercial transactions as those of this great empire.

Mr. *Baring* said, as the sugar from the East and West Indies came into competition in the foreign market, it mattered little in that respect what duty was paid. He agreed with the suggestion not to interfere with the subject during the present year; what struck him as most difficult in equalising the duty between East and West India sugar was, that we were dealing with two articles of a different quality—one was in a state more advanced to refined sugar than the other. He entirely concurred in the principle that these two interests should ultimately be placed on exactly the same footing, and he trusted that ultimately the matter would be so arranged. Whilst he was on his legs, he wished to advert to a subject to which his attention had been directed by accounts in the public papers. It was true that we had proceeded triumphantly in putting a stop to the existence of slavery in our own colonies, but, if the accounts in the newspapers were true, and he had no reason to doubt their accuracy, the foreign slave-trade was at present going on to an extent which it was fearful for any friend of humanity to contemplate. He had seen in the course of last week descriptions in the public papers, as to the accuracy of which, perhaps, the right hon. Baronet, the First Lord of the Admiralty would be able officially to inform the House. It was stated that one vessel had been captured by our cruisers with 400 or 500 human beings on board, and another vessel of only seventy-five tons burthen, with 250 slave children on board. If this were the case (and the statement in the public papers was confirmed by private information), those two countries, Spain and Portugal, whom we had paid, and paid largely, to bring into a course of common feeling and common humanity, had shown a disposition to avoid the performance of their engagements, and were carrying on this traffic to an extent, and with a degree of horrible inhumanity, of which he was sure the people of this country were not aware. Having made a sacrifice of 20,000,000*l.* to put an end to this trade, and having paid other countries to follow our example, the Government were bound to state what information they had upon this subject, and what steps they might have taken to make other powers observe their engagements.

Sir *James Graham* had the greatest

pleasure in assuring the Committee, and his hon. friend in particular, that this subject of the suppression of the foreign slave trade had not been overlooked by his Majesty's Government, for they had felt, in common with him, that there was well-founded reason to apprehend that, amidst the great advantages to result from the measure taken by the House, in the course of last Session, it might also have an effect upon the foreign slave trade. They certainly had information that with respect to Cuba, particular attempts had been made to increase the traffic in slaves. The Admiral commanding in the West Indies had positive orders to surround, with the whole of his force, the island of Cuba, and to intercept in its return any vessel which had been sent for a cargo of slaves. More than that, his Majesty's Government had sent to the West Indies a steam-vessel of great power, as likely to be most effectual for the suppression of the trade. They had not only sent a steam-vessel, but they had also stationed steam-vessels on the coast of Africa. He was happy to inform the hon. Member that, in concert with the Brazilian government, effectual measures had been taken for the suppression of the slave trade throughout the whole of that country—effectual, inasmuch as one of the captures to which the hon. Member referred, had taken place by vessels so stationed. The hon. Gentleman would not forget the arrangement recently made between this Government and France, whereby a reciprocal right of search had been conceded, and already the effect of it had been the almost entire extinction of the slave-trade, as carried on by France along the coasts of Africa. He was persuaded that the effect would not be limited to the coasts of Africa, but that an effectual and reciprocal right of search would be established throughout the whole of the West-India Islands. The interests of the West Indians were involved in this question of slavery. He might add that, what had already been done by Government was but an assurance that they would still further increase their exertions.

Dr. *Lushington* said, that the entire suppression of the slave-trade could never be effected by any effort, however strenuous, exercised on the part of the British Government, only because, in his judgment, the treaties entered into with foreign powers were still so defective and illusory that it was utterly impossible to effect a complete destruction of the trade, by simply adhering to the powers at present conferred by foreign governments. The great and serious defect, with respect to the slave-trade carried on by France was, that the treaty confined the right of search to certain parts of the coast of Africa, whereas, in truth and in fact, a considerable portion of the trade was carried on at a part of the coast to which the treaty did not apply at all. The treaty must be revised, and France called upon to co-operate with us in every part of the coast where the traffic was still carried on. He regretted that at the treaties with Spain and Portugal, in 1808, in which we had made such great sacrifices to rescue the Peninsula from French domination, means had not been taken to secure those conditions which we were entitled to demand relative to this trade. No language could exaggerate the atrocities of this traffic—no words could describe the degree of human suffering of which it was productive, or the state of degradation to which mankind was reduced when influenced by motives of lucre to commit such barbarities. Having made these observations, he should now say a few words upon the question under consideration. He had been called the enemy of the West-India interests. He now stood forward as their advocate. He apprehended that the question before the House admitted of little doubt. Unless extraordinary circumstances interfered, there could be no question that India had a right to have its products admitted into this country, at the same rate of duty as those of the West Indies. As a general proposition, it was impossible to doubt this; but he said that at this particular crisis—at the precise time and hour when not merely the commercial prosperity of the West Indies, but the very existence of those colonies, and the lives and happiness of their inhabitants depended upon the success of one of the greatest experiments that had ever been made in the transition from slavery to liberty—with all the difficulties intervening which had been portrayed with so much eloquence last year by those who doubted the expediency of the manumission of the slaves, at such a juncture to diminish in the slightest degree the motives of the West-India planters to carry that object into effect, or to reduce their hopes of its beneficial results, would be not merely an act injurious to them, but would be to make a trial, with respect to the future condition of the manumitted slaves, the most dangerous that any nation had ever adopted. How did the case stand at present? On our hopes of the industry of the liberated slaves, and of the prudent management of the planters in exciting that industry depended, not only the welfare of those colonies and their numerous inhabitants, but also the conduct of all other nations towards their slaves. To the chance, or rather, he hoped, the certain prospect of their witnessing the success of our extraordinary effort, and seeing the advantage of abolishing slavery and employing free labour, he looked for their being induced to follow the example which the British nation had so nobly set them, by redeeming from slavery not less than 2,000,000 of individuals. Therefore, until this crisis was passed, and until the time was arrived, which he hoped was not far distant, when the prosperity of the West Indies should be placed upon a secure basis, he, for one, would take from them not the slightest advantage, not one atom of the benefits which, right or wrong, they now enjoyed, in order to enable them to weather the storm, and finally to accomplish their own safety and regeneration.

Mr. *Ewart Gladstone* implored the House not to take any hasty step, which might add to the dangers by which the colonies were already surrounded. Within the last few days he had received letters from one of those islands which had hitherto been most peaceful, stating that the negroes had risen and attacked, and beaten the whites and committed numerous acts of violence.

Mr. *Lyall* said, that at this time, when we were entering upon a new system with regard to India, it was important that Parliament should turn its attention to the conditions upon which the manufactures of that great empire were to be received into this country, and our manufactures admitted in India. It was important that we should declare, and the declaration could not be made too soon—that our relations of commerce, and all our intercourse should be founded upon those principles of justice, without which it would be impossible to conduct the affairs of our eastern possessions satisfactorily or safely. Let it not be forgotten, that notwithstanding the advantages which we derived from our commerce with India, we received from that country a tribute of 3,000,000*l*. or 4,000,000*l*. annually, for which it derived in return nothing whatever. He trusted that when the question, of which the hon. member for Liverpool had given notice, should be brought forward, all these points would be taken under the consideration of the House, and that they would be dealt with in a spirit of justice and sound policy.

Mr. *Cobbett* said, the hon. and learned member for the Tower Hamlets had made allusion to the United States of America. He (Mr. Cobbett) admitted it was good to set an example of humanity, but not to show such a degree of anxiety as almost to force other people to follow it. He did not like the allusion to the United States in the hon. and learned Member's speech. There were 2,000,000 of slaves in the United States who could not be emancipated—the thing was impossible. He was sorry that anything should be said in the House which would tend to make the people of the United States believe that what had been done was for the purpose of throwing them into confusion, and creating discontent amongst their slaves, and he regretted that anything should be said which could have that tendency. However, as we had set the United States the example of abolishing slavery, they seemed determined in return to abolish paper-money, and that would be an ample compensation.

The Resolution was agreed to, and the House resumed.

BUSINESS OF THE HOUSE.] Mr. *Fergus O'Connor* rose to bring forward the Motion, of which he had given notice, relative to the non-attendance of his Majesty's Ministers, during the early sittings of the House. He complained of the inconvenience and loss of time that resulted from their absence, and the consequent difficulty that was thrown in the way of the public business, of which no part was more important than the petitions of the people. The hon. Gentleman reminded the noble Lord (Lord Althorp) that he had given a pledge, when the present arrangement was first proposed, that one or other of the Ministers should be present during the early sitting, and appealed to him whether he meant to redeem that pledge, or whether it was to be thrown into the general receptacle of unredeemed pledges? He knew the noble Lord would smile the House out of countenance, and that he would have no opportunity, or, if he had an opportunity, would not be able to efface the impression of that smile; but he called upon hon. Members for ever to hold their tongues as to the absence of Ministers, unless they supported him now. He should never bring the question forward again, but should count the House every day when it was necessary. On a late occasion, when there were but twenty-four Members present, he moved that the House should be counted, and that moment in rushed eighty-one Members from the Committee-rooms. He would continue to do so, and would fill the House every day from the Committee rooms. The hon. Member moved the following resolution:—"That, by not attending at the morning sittings of the House of Commons, his Majesty's Ministers have not conformed to the pledge given by them in the last Session of Parliament; and also that this House deems it essential, as much from a sense of justice to the people as of respect to their Representatives, that some member of his Majesty's Government should attend during the presentation of the petitions of his Majesty's loyal subjects"

Lord *Althorp* said, he had undoubtedly made the promise stated by the hon. Member, and he might appeal to the House whether he had not, at the commencement of last Session, endeavoured to fulfil it. He had attended at the morning sittings for some time; but he fairly admitted, that he found it impossible to continue it. The bodily exertion was too much. This was not the first time the matter had been discussed. He had, when it was before alluded to, explained the circumstances of the case; and he certainly understood it to be the general impression of the Gentlemen who spoke on that occasion, that they did not expect him to continue an exertion which he had found prejudicial to his health, and to his ability to attend to the public business. He admitted, that, when any question was to be brought forward relating to a department with which any particular member of the Government was connected, the presence of that individual member of the Government would be of great use, and would save considerable time; but the chances were, that, if notice were not given of the question to be brought forward, a satisfactory answer could not be given. He could state, on his own part, and he was sure he might say, also, on the part of his colleagues, that, whenever any Gentleman had a petition to present, to which he wished to call the attention of any member of the Administration, it should always meet with due attention. He did not believe that any hon. Member had hitherto made any such application, and failed of receiving that attention to which he was entitled. Undoubtedly, if it were the wish of the House to compel the attendance of his Majesty's Ministers during the early sittings, it would be their duty to comply; but he confessed, he did not think it would be for the advantage of the public service, as it would make them less able to do their duty at other times. He should leave it to the House to decide whether it would adopt the Resolution or not.

Mr. *O'Connell* could not attribute any blame, personally, to the noble Lord; but thought it very desirable that Ministers should be present during the reception of petitions. He had presented many petitions, which he would have wished the noble Lord to have heard, and would have given him notice accordingly, but for the uncertainty as to the time when he might be able to bring them on. Really something ought to be done. The House ought to deliberate, and form some plan for altering the hours of sitting. That House was the only House that did business by night. They should sit in the day; the day should be devoted to business, and the night to repose. The protracted sittings of that House were ruinous to the health of Members, and of no real advantage to the public. When he first came into that House, and he was but a young Member, it sat only four days a-week; now it sat five days, and had sometimes sat six. By a plan which he could propose, their sittings might be confined to three days in the week. The House originally met at seven in the morning, subsequently at nine, then at one in the afternoon; and thus these bad habits had gradually crept upon them. The House ought not to sit after nine o'clock in the evening. No business could be well done after that hour. Speech-making might go on very well, but no real business could be done. After the explanation which had been given, he recommended his hon. friend to withdraw his Motion, and he hoped that either he or some other Member would bring forward a distinct proposition to alter the hours of that House. Thirty or forty Members combining together could certainly compel early adjournments of the House, but that would be a very disagreeable alternative to resort to.

Mr. *Hume* put it to the consideration of the House, whether any animal strength could carry them through the present hours of sitting. They began in the morning, and went on until two of the morning following. He thought, that they should always adjourn at ten o'clock, or, at a events, that no new matter should be entered upon after eleven o'clock at night. If such a rule as this were to be adopted, hon. Members would soon learn to accommodate themselves to it, and the business of the country would be more properly conducted. He hoped the House would consider the propriety of always adjourning at ten o'clock.

Mr. Feargus O'Connor withdrew his Motion.

THE NATIONAL DEBT—CURRENCY.] Mr. *Ruthven,* pursuant to notice, rose to move the following Resolution, "That it is expedient to take into consideration the state of the Currency, and the National Debt; so that such modifications may be made of the public burthens of the Country, as may enable the people to sustain the Charges and Establishments necessary for the Public Service." He thought no subject of greater importance could be brought before the House. The Army Estimates were much greater now than they were in the olden and better times, before the change had taken place in the currency, which had, while it left the nominal burthens the same, nearly doubled their actual weight. The National Debt, too, had attained its present enormous amount under a depreciated currency, and it was paid in full weight. Whenever anything was said respecting the National Debt or the Currency, there was always an attempt to get up an alarm, and to raise an outcry about the national faith. The object of his Motion was to afford an opportunity of answering some of the very unfounded charges and insinuations which had been thrown out against certain persons on this subject. He alluded particularly to some expressions and sentiments which had fallen from the right hon. Baronet, the member for Tamworth. When a proposition with reference to the National Debt was made by his hon. colleague a few nights since, the right hon. Baronet threw himself into a great passion, and expressed himself in terms not of the most temperate description. How great then was his surprise, with the right hon. Baronet's denunciation ringing in his ears, to find the right hon. Baronet thus expressing himself in the debate of last night. He said, 'In his opinion, the agricultural 'interest would have a much better chance 'of obtaining relief by maintaining public 'credit, than by pressing for such a reduc'tion of the revenue as would endanger it. 'So far as personal motives could weigh 'with any man, it must be with him a 'primary object to protect the agricultural 'interest; but looking at the present price 'of the funds, considering the chance there 'was that an early and legitimate reduction 'of the public burthens would take place 'by diminishing the interest on those funds, 'his fixed and deliberate opinion was, that 'public credit should not be endangered or 'lessened by any rash and precipitate at'tempt to obtain the repeal of the tax in 'question. He had been astonished to 'hear no reference made by the noble Lord '(the Chancellor of the Exchequer) to the 'state of the four per cents in his financial 'statement.'* Where was the consistency here? Neither was the reduction of the interest of the National Debt forgotten by the hon. member for Essex, who, speaking of the contingencies of the Stocks, said, "With a moderate support of public credit there would at the present moment be no such thing in existence as a three and a-half per cent stock. It would have been reduced to two and a-half, and then they would have been enabled to reduce the taxes on wine, spirits, tea, and all other articles of consumption." Well then, the proposition for reducing some part of the burthens of this heavy debt was not so peculiar as might have been imagined. The greater part of this enormous Debt of 800,000,000*l.*, too, was contracted in one currency, whilst the interest was paid in another, which was most unjust. Justice to the public and the nation at large, called on them to consider whether they could not come to some equitable arrangement, so as to secure to one party the permanent payment of a proper and fair interest; and to the other, relief from the unjust burthen imposed upon them by the obligation of paying the interest of the Debt in a currency different to that in which it was contracted. At no great distance of time, some financial operation of this kind must inevitably take place, and the sooner they fairly met the difficulty the better. The hon. Member concluded by moving the Resolution.

Lord *Althorp* expressed his conviction, that the House did not expect him to enter largely into the subject touched upon by the hon. Gentleman. Never, indeed, had so large a question been introduced by so small a speech. He regretted that the hon. Gentleman had not more fully explained the object he had in view. As it was, it would be troubling the House in vain were he to enter into any lengthened disquisition on the subject.

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* Hansard (third series) xxi. p. 897.

Mr. *O'Connell* hoped his hon. colleague would not press his Motion.

Mr. *Hume* observed, that the hon. Mover did not seem to have been well understood. The argument of his hon. friend was, that as there had been a great change in the standard, that change ought to be made applicable to the army expenditure. He hoped, however, that his hon. friend would not press the Motion on the present occasion.

Resolution negatived without a division.

MILITARY EXPENDITURE—CASE OF MR. BURGESS.] On the Motion that the House resolve itself into a Committee of Supply, Colonel *Davies* rose, in pursuance of notice which he had given to move, as an Amendment to the Motion for a Committee of Supply, that a Select Committee be appointed, to inquire into the Military Establishment and Expenditure of the country; but, as he understood from his right hon. friend, the Secretary for the Colonies, that the Government would have no objection to the appointment of such a Committee, he should not trouble the House with any remarks. He intended to move, that the whole of the Establishments of the country should be referred to a Committee; but as he found such a liberal disposition on the part of the Government, he would be content with a Committee, for the limited purpose he had stated, as he had no wish to create embarrassment. The chief part of our Military Expenditure was occasioned by our colonies, in which it was necessary to keep large bodies of troops, and that required a large military force at home to relieve the troops in the colonies.

Mr. *Cobbett* said, that as the military expenditure of the colonies was now under the consideration of the House, he would call its attention to the case of Mr. Burgess, who had presented a petition to it last Session. On that occasion the noble Lord opposite—acting, no doubt, upon information which he believed to be true—had made certain allegations to the House, accusing Mr. Burgess of insanity. Now, he had received from Mr. Burgess proofs of his sanity, sobriety and respectability. Mr. Burgess was not a native of Canada, but of Dorsetshire. He offered to disprove all the charges which had been preferred against him. He wished that the papers which Mr. Burgess had placed in his hands, should be referred to the Committee which the hon. member for Worcester had just moved for, and that they should be there submitted to examination. Mr. Burgess said, he was sure that he could state facts which would bring back into the Treasury 300,000*l.* or 400,000*l.* which had been squandered improperly in Canada.

Mr. Secretary *Stanley* could only speak of the subject which had been adverted to by the hon. member for Oldham, from recollection, for the official papers relating to it from the Ordnance department were only laid upon the table at the end of last Session. His recollection of the matter was, that Mr. Burgess had been employed on the Rideau canal. Some disputes respecting accounts had arisen between Mr. Burgess and the Ordnance Department. Mr. Burgess claiming a very considerable sum as his due, and the Ordnance Department conceiving that he was, on the contrary, in their debt, an investigation before a board of military officers was set on foot spontaneously by the Ordnance Department, who promised to bear all the expense of the inquiry; but, during its progress, Burgess and some of his witnesses disappeared, and the accounts, consequently, remained unsettled up to this period. Mr. Burgess, it had been since ascertained, was at present in the United States. In the course of the inquiry, a medical certificate was brought forward, which he was ready to produce, if required, that Mr. Burgess had laboured under the influence of insanity from drinking ardent spirits. Of this fact he (Mr. Stanley) believed he could bring positive proof. Into the question of the military expenditure of the colonies generally, he would not at present enter, because he did not believe the discussion would lead to any satisfactory result; but he could assure the gallant Colonel (Davies), that he (Mr. Stanley), in common with the rest of his Majesty's Government, would give the gallant Officer every assistance in his power to elucidate the whole of the accounts and the whole military expenditure of the colonies, and he thought he should be able to show the Committee that the expenses were not only not extravagant, but that, as far as the military service was concerned, a considerable reduction had taken place. He hoped the gallant Colonel would, therefore, for the present, withdraw his Motion, and allow the House to go into Committee upon the Army Estimates, for the purpose of facilitating business, on the understanding that no opposition would be made to his Motion after the other business was disposed of.

The Motion withdrawn.

On the Speaker putting the question, that he now leave the Chair,

Mr. *Cobbett* said, Sir, I hope you will not leave it to-night. [*Loud laughter*]. I think it monstrous to vote away 6,000,000*l*. of the public money at this hour of the night, nine o'clock.

The *Speaker* observed, that he was surprised the hon. Member should complain of the lateness of the hour, when he had mainly contributed to render it so.

Mr. *Cobbett* again rose, and was about to address the House, when

The *Speaker* said, the hon. Member had already spoken on the subject.

The House went into a Committee of—

SUPPLY — ARMY ESTIMATES.] Mr. *Ellice* said, that he would follow the advice of the hon. member for Middlesex, and proceed at once to the business before the House by the shortest possible process; nor should he waste the time of the House, he thought, in introducing it by the very few observations which he conceived necessary for the explanation of the Army Estimates of the present year. The shortest process, he fancied, would be at once to institute a comparison between the present and the Estimates of last year. He would, in the outset, take some credit to the Government, while he congratulated the House on the altered circumstances of the country, which had enabled him to propose a very considerable reduction in the amount of the military force. The present, he believed, would be the least Estimates which had been proposed to the House since the Union with Ireland. It was intended to reduce the military force of the country by about 8,000 men, so that the whole amount of the army would be gradually reduced to 70,355 men. This reduction was to be effected by the mode recommended in the Committee of last year—viz. by not filling up the vacancies as they occurred in the army. This reduction, however, included but three officers, and he was sure the hon. member for Middlesex would be satisfied it would be the best economy so to reduce the army as to leave the country prepared for any sudden emergency at the least possible expense. It was on this principle that he had acted in endeavouring gradually to reduce the number of men without interfering with the establishments of the different regiments. Of the three officers he had alluded to, one was the colonel of the Ceylon Regiment, whose reduction had been recommended by the Committee of last year, and the other two were second majors of cavalry. The reductions were, in the cavalry, 580 men; in the infantry, 6,640; and, in the Foot Guards, 540; by which a saving would accrue to the country of 123,142*l*. per annum. This saving arose principally from the reduction in the number of men in the colonial regiments, and by not filling up casualties as they occurred, and by reducing the sum formerly allowed for the table of the Guard at St. James's. Another item in the Estimates he would allude to, on which there was a considerable saving, was the Staff of the Army, the expense of which was lessened about 2,000*l*.; though he was aware that the charges for this department appeared increased on the Estimates in consequence of the transference of some garrison appointments to the Staff Estimates. The next item in which reductions had been effected, was that of the Public Departments, which was to the amount of 4,314*l*. A considerable saving had also been effected in the expenses attendant on the Royal Military Asylum, the funds of which were appropriated to the education of the children of soldiers in this country and in Ireland. A much better system had been adopted in this establishment with regard to the filling up of vacancies, and the result was, that a considerable saving had been effected in the money voted by Parliament last year. The next item to which he would allude, was the volunteer corps. The hon. and learned member for Dublin had asked a question with regard to this subject, and he believed he could now give a satisfactory answer to it. In consequence of what passed last year, he had pressed on the Irish Government the expediency of doing away with an expense which did not appear of utility to the country. The Irish yeomanry had not, it seemed, been called out for the last two or three years, and it appeared to him, therefore, impossible to admit that account into the Estimates. A reduction of expense had already been effected by not calling out the English yeomanry except on permanent duty. In consequence of this practice, a saving of 3*s.* 6*d.* a day per man had been effected. The saving altogether, in both the English and Irish yeomanry corps, would be about 20,000*l.* These were the principal heads in the Estimates on which he thought it necessary to call the attention of the House. In the expense for non-effective men there was also a considerable reduction, but he would not fatigue the House by entering into details, it would suffice to observe, that it amounted to 104,000*l.* The total decrease of expense, therefore, would be about 299,000*l.*, including the sum of 30,000*l.* in Exchequer fees, for which the Government did not take credit. What he had done in the way of reduction, he had intirely done in obedience to the recommendation of the Committee of Inquiry into the expenses of all the higher departments of the army. He could assure the House, that no charge had been made in the present Estimates—not one shilling expended—for which *bonâ fide* service was not to be performed. An alteration had been made in the present Estimates with respect to the colonial regiments and the emoluments of the different officers, agreeably to the recommendation of the Committee of last year. On the recommendation of that Committee the colonelship of the Ceylon Regiment had been abolished, and the garrison establishments placed on a different footing. An alteration, too, had been made in the garrison Estimates. A distinction was made between garrisons which had effective duty, and garrisons where there was none, and the former was added to the staff, so that they might come every year under the control of the House; and if, at any time, their duties were not deemed necessary, the House might resolve on their reduction. The Committee would find the particular charges for the garrison expenses added to the staff and contingency charges. One garrison had already been abolished, that of Annapolis, and its duties transferred to the chief garrison in Nova Scotia. Another alteration was with respect to the Guards. In former Estimates there had always been a vote for recruiting and hospital expenses, which provided for 464 non-effective men on the establishment. For this he had thought it better to substitute a vote enabling the Guards to manage their own recruiting and hospital expenses, which amounted to 8,780*l.* He should not disguise from the House, that all these allowances found their way, sooner or later, to the stock-purse of the regiment. He admitted, that it was objectionable, and believing that every officer should be well paid, and that the House and the country so wished it, he thought it much better that such charges should not be placed under fictitious heads. Therefore, he was anxious to form for the Guards a regulation in lieu of that which had been so long established; and if he had not, at present, wholly succeeded, he could assure the Committee it was no fault of his. If the House would give him the same credit which was extended to him last year, and leave the matter as it at present stood in his hands, he would earnestly endeavour by next year to place the matter on a more intelligible and less offensive basis. And he could assure the Committee, that however anxious they were for alterations in this and other points, they could not go at a more rapid pace than he was disposed to do. He wished here to say a few words as to the allowances of the Guards. The regiments of Guards cost, in fact, no more than the effective force of the line—the men had certainly a penny a day more; but this, from living in the metropolis, and one thing or another, did not occasion the expenditure on them of one shilling more than what was called for by the necessities of an equal number of men from other corps. [Mr. Hume was understood to express some surprise.] If the hon. member for Middlesex doubted what he said, he assured him he was able and willing to convince him by a reference to documents. The next point recommended by the Committee of last year, which he had endeavoured to effect, was the making of certain reductions in the allowances to certain general officers. To this recommendation, however, the Committee had annexed conditions with which he had found it impossible to comply. The circumstances, he believed, would be found a sufficient justification for the continuation of the allowances. The ages of the officers in question averaged above sixty-five years, and their power of selling their regimental commissions would have been a very bad bargain for the Government. He, therefore, though reluctantly felt obliged not to make up the payments to those general officers to 400*l.* a year each, but thought it better to leave the matter to the liberality of the House, rather than bring it forward formally in the Committee. He should be most happy to have it in his power to remedy the omission. Another recommendation of the Committee which he had not been able to accomplish was an effective reduction in the amount of the staff and head-quarters; but he hoped the Committee would abstain from discussing this subject until the vote came, in due course, before the House. He should then, he thought, be able to show how it was he had not been able to follow up the recommendation of the Committee on that point. He believed, he had now enumerated all the recommendations of the Committee of last year. Those which were practicable it had given him great pleasure to carry into effect, and, he trusted, in regard to those which he had not fulfilled, he should be able to give satisfactory reasons for his non-compliance. In bringing forward the Estimates of last year, he had made certain promises to the House, in reference to remedying some of the charges. He had fulfilled these as far as the Irish yeomanry and the Exchequer fees were concerned. The charge in the Estimates for Kilmainham Hospital was made with the view of facilitating the settling of the accounts of that establishment, but measures had been taken for transferring all the in-pensioners to the superintendence of the Board of Ordnance in Ireland, while the out-pensioners would be transferred to that of Chelsea Hospital, which, through the liberality of the country, was enabled to maintain 85,000 pensioners. It was well known, that soldiers in general preferred being out-pensioners to living in the hospital. They liked to enjoy their pensions with their families in the country. He was well aware that a strong disposition naturally prevailed amongst the members from Ireland against the doing away with any establishment in that country that might be useful, or to which the people of Ireland were attached. Now, he did not propose to do away with the establishment of Kilmainham Hospital, he only proposed to transfer it to an establishment already in existence at Island-bridge, close by it, so as to lessen considerably the amount of the expense required for maintaining it. It would there exist at a far diminished expense, and if it should be found necessary hereafter at any time to renew the more expensive establishment at Kilmainham Hospital, it would be in a situation fit, at once, to be brought back there. The way in which he proposed to effect this arrangement was, to transfer the establishment at Kilmainham Hospital to the Artillery and Engineer department at Island-bridge, where, as every one who knew the nature of that department would acknowledge, it would be maintained in the same orderly and efficient state; and if the service of the State, or a war should hereafter render it necessary to renew the establishment at Kilmainham Hospital, the establishment existing at Island-bridge would, at once, enable the Government of the country to do so. He calculated that, by this arrangement, no less a saving than 12,000*l.* a-year would be effected, without any detriment whatever to the public service. An impression had gone abroad, that, in regard to the Royal Military School in the Phœnix-park, some injustice had been done to Ireland. He could assure hon. Gentlemen opposite, that the same rule had been applied to the school at Chelsea, as to the school at Dublin, and he would pledge himself that no advantage whatever should be given to the one over the other. He had included the reductions which he had just mentioned in the course of his statement last Session, and he conceived, therefore, that the Committee would allow that he had a right to claim credit for having carried them into effect. He had now to state to the Committee, that a Commission was issued previous to the present Session of Parliament, which had been long pressed on the Government of the country, and for the carrying of which important object into effect they were particularly indebted to the efforts of his noble friend, the Postmaster-General, and his noble friend, the Paymaster of the Forces. The Commission to which he was alluding, was a Commission issued for the purpose of reporting upon the expediency of consolidating the Civil Departments of the Army. That Commission had not been idle since its appointment; a great deal of evidence had been taken by it, and considerable progress had been made by it towards bringing its labours to a successful conclusion. He conceived, that the consolidations which he had already stated to the Committee as having been made in the Estimates for the present year were, in themselves, all decided steps towards carrying into effect the principle of consolidation. He thought, that he might now state to the Committee those consolidations which, in pursuance of the recommendations of the Commission, he trusted to be able to accomplish. Before mentioning the first of these measures, he begged to say, that he was well aware, that he was anticipating a portion of the report of the Commissioners, but, he conceived, that on a subject of this kind it was, of course, more convenient to state to the House the grounds on which intended alterations were to be made. Some little time must be given to the Commission to carry the objects which it had in view into effect,—to put an end to various abuses, without pressing too much upon it in the present Session. All of them could easily suggest fine plans of consolidation; but all those upon whom the responsibility of carrying them into effect devolved, knew, that, what with the business of Parliament, and what with the ordinary routine of office, if such things were to be carried into effect, in a business-like manner, and so as to do credit to those who effected them, great attention and great industry must be applied. He thought he might state, that the Commissioners had made up their minds to carry into effect the following arrangements in the course of the present year. In the first instance, it was proposed to abolish the Board of Control of Army Accounts; seeing that, since the late war, the duties of that Board, there being no Foreign Boards, no Commissariat abroad to Control, and for many other reasons, had been greatly diminished in amount, he saw no difficulty in transferring the remaining duties which appertained to it to the office which he at present filled. It was next proposed to take to the War-office the whole charge of the half-pay of the Ordnance, and the whole of the allowances to the widows and families of officers connected therewith, so that the department, in addition to the other duties of the War-office, might be managed in one office. There was, in his opinion, nothing to prevent the whole of that business being transacted in the War-office, with very little addition to the labour there at present, and without any additional expense. The arrangement was, therefore, one which, while it would be productive of no inconsiderable saving of the public money, would, in no degree, detract from the efficiency of the department. That, it appeared to him, was the true way to proceed in carrying into effect the principles of consolidation and economy. The next arrangement which he proposed was this,—namely, to transfer the whole of the Commissariat to the War-office. He did not mean to say, that this arrangement was, at present, absolutely determined upon. It was an arrangement, however, under consideration, and he had no doubt it would be effected. He proposed, then, to transfer the Commissariat from the Treasury to the War Office, leaving still to the Treasury the payment of all monies for the military chest of the colonies, and leaving to the Treasury besides that effective control which it should always possess over every department of the State where the payment of money was concerned. He reckoned with confidence on having this arrangement carried into effect in the course of the present year. He need not say, that the Commissariat department in a time of peace was not of that extensive nature to prevent the duties of it being entirely transacted in the War-office, and in that way, while public economy would be consulted, a complication of business in various offices, and a great waste of time consequent thereon, would be completely obviated. Let them take as an instance of the present complicated mode of passing accounts, the passing of the accounts of some offices in Jamaica. They are first sent to the War-office, whence they are transmitted to the Treasury, who, knowing nothing of them, refer them to the controller of accounts, whence they are actually sent back to the War-office. Lately, in the matter of an account of only *5l.* or *6l.*, he had consumed a quire of foolscap in communications backwards and forwards on the subject. The proposed arrangement, therefore, would do away with all that unnecessary trouble, whilst it would be productive of greater simplicity and economy. In addition to the arrangements which he had just mentioned, he had to state that an arrangement was in contemplation (indeed, it was one that had been often much pressed on Government) to limit the present allowance of half-pay to officers who had already entered the service, and to exclude from it those who might hereafter enter the army. He only mentioned the subject as one which had been very much pressed upon the attention of Government. He thought that some arrangement of the kind might be made without infringing upon the equitable considerations due to the parties more immediately concerned, and he knew that if such an arrangement could be effected, it would tend to relieve the public in future from an enormous charge. He would not go into the various details connected with those subjects which he had stated to the Committee. They would be conveniently and properly discussed when the different estimates to which they related came before the Committee. He had contented himself on the present occasion with merely making a general statement of what had been done, and of what it was intended to do, in the department over which he had the honour to preside. He trusted that, after what he had stated, it would be acknowledged that he had fully redeemed the promises which he had made last year, and he hoped that, under such circumstances he might now take credit for the reductions which he had mentioned as in contemplation at present. Having performed what he had promised last year, it was not too much to ask of the House to give him credit for that which he promised to carry into effect in the course of the ensuing year. Some Gentlemen, in considering the Estimates, were in the habit, not of considering what should be a fitting expenditure for the army of this country in the present day, but for comparing that expenditure with the expenditure for the army in, according to their opinion, the golden period of 1792. The hon. member for Oldham, for instance, had asked him whether he intended to compare the present Estimates with those at the conclusion of the last peace? Now, probably, that hon. Member would find in the long-run that he (Mr. Ellice) did not differ so much as he might imagine with him on this subject. Now, in comparing the Estimates of the present year with those for 1792, it would be found that, though the effective force in 1792 was much more limited than at present, yet the charge for it was nearly as great. The actual charge for the existing effective force this year was 2,839,000*l.* But if the same amount of forces were paid at the rate of 1792, the establishment at present would cost much more than they did. The estimate for 1792 was 1,473,000*l.* for England, and 452,000*l.* for Ireland, making nearly 2,000,000*l.* for a much less numerous force. He agreed with the hon. Member that the increased charge in the Estimates had arisen from an obvious cause, but it was one beyond cure; it had arisen from the additional allowances made to the men in the course of the war, in order to keep pace with the depreciation then in progress in the currency. The fact was, that if such an increase had not then been made to the soldier's allowances, he would not have been, in consequence of the great and then every day augmenting depreciation of the currency, able, out of his pay, to provide his subsistence. The cause, therefore, of the increased charge was, as he had said, already apparent, but it was a cause beyond cure. He did not suppose that any gentleman would propose to remedy it, for it could only be remedied in one way. He had certainly received suggestions from different parts of the country, to reduce the charge by reducing the pay of the soldiers; but he was sure that no Gentleman in that House would do so. [Mr. *Cobbett;* I would.] He would only say, in reply to that assertion, that he would not be the person to do it. But with regard to the higher ranks in the army, their pay and allowances had not been proportionably increased, because there was not the same reason for increasing them. He might state what he had stated to the House last year, that the pay and emoluments of colonels in the army were at the same rate now that they were at the time of the battle of Minden. If the hon. Gentleman could find out any mode of diminishing the charge beyond that effected by the hand of time, he (Mr. Ellice) must confess his inability to discover it. While we had at present a more effective army, and one larger in amount than in 1792, it only cost us, exclusive of the increased allowances he had mentioned, what the army did in 1792; and it was therefore plain that we had since that period got rid of some unnecessary expenses in the army, and that the general management of it was better and more economical. If the present estimate were compared with the estimate for 1792, it would be seen that the number of men employed for the defence of the old colonies was not now quite so much as at that period, notwithstanding that those colonies had, of course, since that period, greatly increased in population. So far from there having been an increase in the amount of men, in our old colonies, there had been a decrease in every one of them, with the exception of New South Wales. Not only had the force been diminished in the old colonies, but the staff had also been diminished. If, then, they took into account the number of colonies which we had acquired by conquests during the war, containing a population as great, if not greater, than that of the old colonies, it would be seen that, according to the scale of the year 1792, we had a much smaller force now in the colonies than at that period. The number of men employed in the old colonies in 1792 was 16,888, and the force employed in the colonies since conquered, being about equal to the old colonies in population was 16,199. Out of the reduced vote which he meant to propose upwards of 30,000 would be wanted for the colonies. He was only anxious for inquiry to be made into all those points; indeed, into every matter connected with the military expenditure of the country. He was most ready to go with his gallant friend opposite into an inquiry into all the facts connected with the pay of the higher officers of the army, and into every other branch of the military expenditure of the country, with a view to introduce every possible economy consistent with the due maintenance of the public service. He had already stated to the House that the present estimate was lower than any since the meeting of the Imperial Parliament. Though there were 9,000 or 10,000 men more in it than the lowest limit in 1822-23, yet the present estimate was less by 338,000*l.* than that of 1822, and less by 314,000*l.* than that of 1823. That reduction, however, had principally taken place in consequence of the falling off of what was called "the dead weight" of the army. The present estimate was, he repeated, lower than any that had been presented since the union. It was lower than the estimate for the year 1830, with the same numerical amount of effective force. In saying those things, he was sure that it was unnecessary for him to claim at the hands of the House that credit for the army for its present effective state of discipline which it so eminently deserved. He could declare that during the year that he had now held the office of Secretary at War, not one complaint had been made to him from any part of the country as to want of subordination, or the display of undisciplined conduct on the part of the army. He believed he would be borne out in what he stated by hon. Members from all parts of the three kingdoms, and he was satisfied that when the House considered the arduous and difficult service to which the troops in many instances were exposed—their being sent to different and unhealthy climates—the officers often consigned to an exile of twenty years under the burning sun of India—he was sure, he said, that when the House took all these circumstances into account, any hon. Gentleman, whatever might be his sense of economy, would not propose any reductions in allowances so hardly earned. Let them but look to the dreary prospect in times of peace before those officers who had nothing but their pay to live on, absolutely without a hope of promotion, and employed in a service infinitely more harassing than the service of other countries in time of war (for the English service was more severe in times of peace, on account of our colonies, than that of any other European country in time of war),—in a service, too, destitute of the glory that accompanied the hardships of war—a service, in a word, cheerless, harassing, and severe;—when they looked at those things, he was sure that there was no Gentleman in that House that would say that the officers or soldiers of the army were overpaid. That, then, being the case, he should like to know where those millions were to come from, that some persons were so fond of stating could be saved from the Army Estimates of the country. He was sure his hon. friend opposite, the member for Middlesex, would give him credit for sincerity in his endeavours to effect every possible reduction in the military expenditure of the country—he had proved it by redeeming the pledges he had made to the House; but this he would say, that never would he attempt to reduce a single shilling of that expenditure by committing an act of injustice to the officers or soldiers of the army. That was a species of economy that he should never practise. Suppose his hon. friend opposite should propose to reduce the number of men to the amount it was in 1822. His hon. friend must know that a forced reduction of that description, supposing it expedient on other grounds, would not be in itself an entire saving. Before he came down to the House, he had made out a comparative statement of the effects produced by the sudden reduction in 1822. There was certainly a considerable reduction made in that year in the effective force of the country, reducing it even 10,000 men below the number asked for in the estimate of this year. But what was the consequence? Why, that the "dead weight," which, in 1820, was 2,700,000*l.*, in 1822 was 2,800,000*l.*, and in 1823, was 2,900,000*l.* while in the present year its amount was only 2,500,000*l.* Even, supposing the sudden reduction then effected to have been expedient, it was objectionable on the score of economy. It appeared to him, that the wiser, the better, and the more economical way was to wait the fullness of time, which would continue in its inevitable progress making those reductions it had already made in the dead weight of the country. Suppose that a portion of the effective force should be now reduced, and that any circumstances at the end of the year should render it necessary to increase the military force of the country; hon. Gentlemen would find that it would be extremely difficult without calling out the militia, to provide the force required, while the expense of the operation would exceed any saving that the temporary reduction of a number of good and effective troops might have produced. The right hon. Gentleman concluded by moving "that a number of land forces not exceeding 88,952, of whom 7684 were to be reduced in the course of the year, be maintained for the service of the country for the year ending 31st of March, 1835."

Mr. *Hume* had heard with the greatest satisfaction the speech of the right hon. the Secretary at War; and he must in candour state, that, during his whole Parliamentary life, a more explicit, a more open, and more manly exposition, never fell from a public servant of the Crown. No estimate could be more fairly and candidly explained. The opening statements could not be quarrelled with. The details were given in a manner that must have shown they were given with a view to avoid anything like obscurity or misconception. He should give the right hon. Secretary full credit for his desire to reduce the national burthens, and if he had the sole direction of his department, he would be perfectly satisfied. He was bound to state, that the promises of last year were honestly fulfilled. He could not quarrel with his right hon. friend. Many reductions were made which, but for him, he was quite sure, would not have been attempted. Having thus discharged his duty towards the right hon. Gentleman, he had another duty to perform to the House. He had never advocated the propriety of destroying any party, for the purpose of carrying a measure which was thought essential; he should be sorry to sacrifice an individual interest. Such would not be economy; he should deprecate it. With regard to the reduction made in 1822, to which his right hon. friend had alluded, no reduction had ever been made more hastily. It arose from a vote suddenly passed by that House. All reductions had been refused throughout that year, when, just at the close of the Session, he carried an Address to his Majesty for a reduction in the army, and in ten days afterwards the amount was diminished by 10,000 men. That was not the way to proceed. Two years after, the veteran battalions were reduced. The next year they were recalled into active service, and shortly afterwards again reduced, the officers retiring on full pay. Was this the boasted economy of the governments that had ruled England? By such measures the dead weight was increased, and the country made to endure the present weight of taxation. The House could not, however, recall the past; they could only adequately provide for the future. Let hon. Members, then, determine now what was best to be done. Every hon. Gentleman who had a seat in that House, unless, indeed, he represented a most limited constituency, was pledged to lessen the public charges. From statements before him, it appeared that the sum levied on the empire amounted to 50,000,000*l.*, of which 46,170,000*l.* found its way into the Exchequer. The taxation of the country, therefore, amounted to 50,000,000*l.* He fully concurred in the justice of the question of the hon. member for Dublin. Was the country prepared to keep up such an enormous amount of taxation, under the present circumstances of the times? The right hon. Secretary had said he could not save the nation 2,600,000*l.*, because the amount, in 1822, was so great. He denied the position. We should legislate for the present, not in reference to the past. He would maintain that, our military expenditure might be reduced by diminishing the number of men, for it was only by reducing expenditure that he would propose to remit the taxes that pressed so heavily on the country. It was said, that those were the lowest estimates that had been presented since the Union. He was prepared to show that, under the present vote, they were higher than in 1822 or 1823; for, while the expenditure under that vote, in the present estimate, was 3,000,000*l*., it was only 2,500,000*l*. in 1822, and 2,300,000*l*. in 1823. He was ready to admit, however, that the present estimates, as a whole, were lower than those of the years just mentioned, by 15,000*l*. But that was a small sum. There was no getting the Ministers to reduce the expenditure, unless the House applied some gentle force to them. His right hon. friend had talked of those who wished for reductions to the amount of millions; he believed that, in so speaking, he alluded to him. Now, seven years ago, he was considered as a man fit for Bedlam, because he proposed to take off 7,000,000*l*. of taxes, and yet that amount of taxes had been since reduced. He was glad to see his right hon. friend acting on principles which he had always advocated, and in which advocacy he had generally found a supporter in his right hon. friend. He was glad to see his right hon. friend now carrying those principles and views into effect, which he had advocated before he was Secretary at War. He did not doubt but that if the right hon. baronet, the late member for Westminster, was now present, he would bear honest testimony to the correctness of what he had stated. When he said, that the expense of the army had been carried to an undue extent, he did not speak without full consideration; nor were his sentiments at variance with the sentiments of many hon. Members. He also maintained, that, although the late Duke of York was a most excellent officer, and beloved by the army, over whose interests he had presided, and essentially promoted—promoted, it was true, at the public expense—yet he objected to such powers as had been concentrated in that illustrious personage, being vested in a prince of the blood royal, or in any officer whatever. In the Committee alluded to, it had been proved that the Secretary at War was not the officer possessing power, nor invested with that influence which would make his office a responsible situation. If the Secretary at War were placed in a responsible situation with reference to the Legislature, those reforms in the military department, which were immediately necessary, would be carried into effect. When, however, he saw the opposition manifested by the Government to such a reduction in the military establishment as the state of the country required, he felt it his duty, though hon. Members on the other side of the House might differ from him, and exercise, as they had a right to do, their own discretion, to lay before the Committee and the Government the course which appeared to him to be the best to be pursued consistent with the interests of the country. The estimated number of the effective force, subject to a gradual diminution, was 89,419 men, and all that was now proposed was to reduce that number by about 8,000 men. The Committee ought to bear in mind, that the effective strength of the army, under the administration of the Duke of Wellington, and at the time the present Government came into office, was 81,164 men. So that, after four years of a Reform Administration had passed, that Administration was only able to bring the army back to the strength in which they found it. What was at present the relative situation of the country, in comparison with what it had been at the time Earl Grey became Prime Minister, to justify this state of things? Much had been stated as to the acts of the present Government in pamphlets and reports; but, in the first year of their Administration, they had increased the estimates one million, and had taken two years to come back to the position in which they were on their accession to power. He had ever held, that the force increased had been so unnecessarily, and the proposition now was, to reduce, by stopping the recruiting for the military service, the strength from 89,000 to 81,268 men. This reduction even would not, at the end of the year, bring the strength of the army so low as it was when the Duke of Wellington left office, and which, at that period, amounted to 81,164 men. With regard to the expense attending this unnecessary force, he must remind the Committee of its amount, in former years, as compared with the vote proposed in the present estimates, amounting to no less than 3,056,873*l.* In the years 1822, 1823, and 1824, the expense of the army was as follows:—In 1822, 2,500,000*l.*; in 1823, 2,500,000*l.*; and, in 1824, 2,700,000*l.*; and, in the year 1830, the amount was 3,015,000*l.* The question he put to the Committee was, whether the country was prepared to keep up so large a military establishment as was proposed? and if so, for what purpose such an establishment could be wanted? There existed no necessity for such a force being kept up, while the expense arising from the number of useless officers at present attached to each corps was unnecessarily great. A comparison with the military strength of the country in the year 1792 showed that the present strength was uncalled for and unnecessary. He admitted, that the military service abroad was, as had been urged by the right hon. Gentleman, the Secretary at War, severe, and that the colonial service was, from the nature of the climate, and other causes, oppressive both to officers and men; but he was prepared to show, that the number of troops kept in the colonies was not at all necessary, neither was it requisite that a force of 23,000 men should be maintained in Ireland. In the Ionian Islands a force of from 3,000 to 5,000 strong had been kept up for the last twenty years, though, by the stipulations entered into between those islands and this country, the former undertook to pay for all above a certain number. The Government of this country had, by disarming the inhabitants, who were otherwise well able to protect themselves, rendered it necessary to send British troops to protect them, at the expense of the British public. He contended, that if this country could not intrust the inhabitants of these islands with arms to defend and protect themselves, such a possession was not worth keeping, when the expense was considered. In North America, the force amounted to between 4,000 and 5,000 men, when he had reason to believe that from 400 to 500 men would be sufficient, provided that the inhabitants were treated by the Government of this country as freemen, and not interfered with by orders and counter-orders issued from Downing-street. He also believed, that in the Mauritius a force of 500 men would be sufficient, for he understood that a statement had been made to the Government, that if a Legislative Assembly was granted to that colony, the colonists would not only pay the troops, but also liberate the slaves. He was prepared to prove at the bar of the House, that such an offer had been made to the Government of this country. With respect to the force maintained in Ireland, why should 23,000 soldiers, exclusive of artillery, and an extensive armed police force, be there required, when, in the years 1788, 1789, and 1790, the whole military force did not amount to more than from 8,000 to 9,000 men? Rather than such a force should be kept up in Ireland at so enormous an expense, he would bring away all the parsons, and consent to a vote for their maintenance during the rest of their lives. He called upon the Committee to agree with him in refusing its consent to the maintenance of so large a force, as the only means of compelling the Government to reduce the army. He admitted the question was not merely important to the country, but was also a Cabinet question; and he would, therefore, call in aid of his position with respect to it the opinions which had been expressed by the Committee appointed by the House at the instance of the Government in 1822. He need not, in reference to the resolutions of that Committee, say more, than to hope it would be borne in mind, that there was then a most efficient opposition to a Tory Government—an opposition which compelled a reduction in the military establishment of the country below the present force of nearly 10,000 men. That reduction had been so effected by a resolution adopted by the House; and he trusted that a Reformed Parliament would see the necessity of carrying into effect, on this occasion, the resolution for a reduction in the force which an Unreformed House had adopted. Even the Committee appointed under the Castlereagh Administration had recommended a reduction of the army in times of peace, and the resolution which had been proposed by the noble Lord, the Chancellor of the Exchequer, in July last, recommending such a reduction in the expenditure of every department of the State as was consistent with the public interests, fortified him in his position; so, also, the recommendation of the Committee, in 1828, of which the right hon. Baronet, the member for Dundee, was chairman. On these grounds he contended, that the forces in the colonies ought to be reduced to a number consistent with the average in the three years, 1822 to 1824. Besides, the Horse and Life Guards might very properly be reduced, though he had no objection that some of those troops should be retained for a little parade and show. These regiments, had, however, increased in a most unnecessary degree. The strength of the Life Guards in the year 1792 was but 411, while it was now upwards of 974; and that of the Horse Guards, in 1792 was 271 men, and in the present year, 437 men; making a total of 1,311 rank and file. There was, besides, an excess upon the number of men in the Dragoon regiments, compared with the year 1792, of upwards of 3,000 rank and file, and in the Foot Guards of 1,504. For these three excesses no excuse had been offered; nor did he know any reason which could be assigned against their reduction. In addition to these, there could be well spared from the strength in the colonies not less than 9,000 men; and it would, therefore, be a very moderate reduction if the Committee should agree with him in what he asked—namely, to bring the effective strength of the army to that of the years 1822 and 1824. If that were not acceded to, he was at a loss to know in what way a reduction in the expenditure of the country could be effected. The Reformed Parliament would but ill discharge its duty, if it refused to accede to the proposition which it was his intention to make—namely, a reduction of 9,000 men from the amount calculated to remain of effective troops—81,000; which would still leave a force of upwards of 72,000—a force greater than that maintained during the year 1823. In making this reduction, he would not discharge from the service a single man without a pension, unless he should desire it; but, as he understood, that not less than 10,000 men were at present desirous to leave the service, on merely obtaining their discharge, no expense would be entailed upon the country by an addition to the Pension-list from the reduction which he proposed. He felt bound to repeat the expression of his satisfaction at the statement with which the right hon. Gentleman, the Secretary of War had opened the Estimates; but, as the question rested with the House of Commons, he hoped an opinion would be expressed upon the subject, as had been before done by an unreformed Parliament. The hon. Member concluded, by moving, as an amendment, "that the number of land forces for the year, including the allowance for casualties, which would reduce the army to 72,268 men before the end of the year, be 79,952 men.

Mr. Secretary *Stanley* felt satisfied, from what he had observed during the course of the clear address of his right hon. friend, the Secretary at War, and the speech of the hon. member for Middlesex, that the Committee would be of opinion that the proposed reduction was not only unnecessary, but would be, in its effects, most mischievous. He could not refrain, however, from expressing his opinion, that, as the hon. member for Middlesex had raised no objection to the military establishment of the country, but merely to the number of men constituting the forces, that the hon. Member's real objection amounted to this—that let the Government bring forward what Estimates they pleased—let the Government effect what reductions were practicable, the hon. Gentleman would oppose them; for, it appeared to be part of the business and the profession of the hon. Gentleman to compete with the Government in economy. Though there was a diminution in the present Estimates from those of last year of little less than 300,000*l.*, and though a greater force was proposed to be maintained at this diminution of expense, the hon. Gentleman had asked if this was the boasted economy of the present Government. It was true, it was only proposed to reduce the force to the strength maintained in 1830; but, he must remind the hon. Gentleman, that the aggregate expense in that year was 3,688,000*l.*, while, in the year 1834, it amounted only to 3,308,000*l.* [*"No, no," from Mr. Hume.*] He knew not whether the hon. Member was better informed than the War-office Department, from whose documents he was speaking. [Mr. *Hume* took his information from the Estimates.] The total amount of the Army Estimates for the year 1830 amounted to 6,123,000*l.*, while those for the year 1834 amounted to 5,772,000*l.* The hon. Member had adopted, as his two favourite periods, the year 1792, and 1822 to 1824. He would admit that, on the amount of the colonial force must depend, in a great measure, the amount of the strength of the whole army. Now, the colony of New South Wales—he was aware that these details were dry and dull, but, as the hon. Gentleman had gone into a statement of figures, it was necessary to follow his example—the colony of New South Wales, in the year 1792, contained a population of 6,600, and 420 men were stationed there for their protection. Now, when the Committee considered the nature of the population in that colony, and the necessity of affording the settlers due protection, and when it was considered that that population was now increased sixfold, he thought the Committee would be of opinion that a force of 2,217 men was not too large to be maintained there. In this instance, indeed, there was an increase of nearly 1,800 men, but the peculiar circumstances in which the colony was placed, justified the augmented amount. Then there were the Windward and Leeward Islands. In 1792 there were 3,200 troops stationed in the former; in 1834, 3,075. At the former period, in the island of Jamaica, the number of troops employed was 2,680; at the present time, 4,018. It was not necessary for him to explain to hon. Members the reason of this increase, and he would, therefore, pass on to Canada, where, in 1792, with a population of 185,000, 2,800 men were employed. In 1834, the population amounted to 750,000, but the troops maintained there were only 2,575. In Nova Scotia, during the former period, the number of men was 2,490, at present but 2,360; and, in Gibraltar, it was found, that, in place of 3,600 men who garrisoned that fortress in 1792, 2,575 were now sufficient for that purpose. Thus the Committee would see, and the hon. Member would also see, that there was an increase of the military establishments kept on foot in the colonies, on comparing together the two periods, in two colonies only, Jamaica and New South Wales. In the case of the latter colony, he could not agree with the hon. Member in thinking that, because the number of inhabitants had increased, the protection afforded them ought to be diminished. In that point, at least, he must venture to differ from him. Then, as to the comparative expense of the two periods referred to, the hon. Member had said, that the economy of 1792 was better than that practised in 1834. The expenses of the staff in 1792 were nearly 34,000*l.* and in 1822, 46,329*l.*; while the staff expenses for 1834 amounted to 29,957*l.*; being 4,310*l.* below 1792, and 16,402*l.* below the economical year 1822. The number of troops in the new colonies altogether amounted to 16,927 men—the same number that was maintained in the old. He would not, however, trouble the House by giving them more figures, as he felt assured, that it was quite satisfied with the statements laid before them by his right hon. friend. He had hoped that the hon. Member would have spared Ministers the opposition which the hon. Member generally made it his business to offer; but events proved that he was mistaken. While he was on this subject, he would beg to call the attention of the hon. and gallant Colonel opposite (Colonel Evans) to the fact, that the question of the force at present kept up in the Ionian Islands had been mixed up with the subject before the House. He thought it a question well deserving inquiry, and a proposition for the reduction of the number of troops maintained there was under the consideration of Government. He, therefore, begged the hon. and gallant Member would recollect, that the amount of military force kept up in the colonies, and in the Ionian Islands, were two totally distinct things. In the whole of our colonies there were only 33,500 men; and he was sure, that if hon. Members would take time to reflect, they would find that it would be extremely unsafe to effect any reduction in that portion of our military force. His right hon. friend near him had made no exaggeration in his statement of the sufferings endured by the British soldier in time of peace; ten years was the lowest term for which a regiment remained abroad, and the state of the army was such, that in three or four years more it would devolve upon the same regiment to go again abroad. The hon. Member had complained of a slight increase in the number of the Horse-Guards, and had said, they were maintained only for show and for the purpose of occasionally assisting to preserve the peace. But, in a country like this, with an immense Metropolis, and thickly studded with large manufacturing towns, where so vast a mass of property was to be protected, that increase of which the hon. Member complained was a most salutary precaution. The military arm of the State ought to be reserved for those cases of necessity which sometimes unhappily occurred; but, however greatly he might regret having to call out its strength, it was, at least, in a country so densely peopled, a matter of satisfaction that there was such a force to fall back upon, in the event of the civil power proving insufficient. Having said thus much, he would come to the state of Ireland. In the present situation of that country, it would be impossible to make any further reduction in the military force kept up there; a large reduction had been made this year; and, he hoped, that as the country became tranquillized, further reduction would be practicable. But, to be safe, reductions must be gradual. They ought not to be made in the spirit of the reductions forced upon the Government in the year 1822. "Then," said the hon. Member, "we had a good Opposition, a good, steady Opposition; the Government wanted to continue the military establishment of the country on the same footing, but I proposed the reduction of 10,000 men, and we carried it." The number was thus reduced to 68,984; but did it remain so? [Mr. *Hume*: It might.] In the very next year the army was increased to 74,857, and, in the year following, to 85,519. Nor was this all the benefit which the country reaped by the hon. Member's legislation. He succeeded, indeed, in reducing the number of effective men, but he also succeeded in increasing the number of non-effectives, and an additional expense of 100,000*l.* was yearly entailed on the country by this precipitous measure. "Look," said the hon. Member, "to the blessings I brought upon you in the year 1822." He would say the same thing with the hon. Member; he also would bid the Committee look back, and then say what they thought of the results of this hasty, ill-advised, and rash reduction. In conclusion, he would beg the Committee not to sanction, by their support, a plan so precipitate, and, as he thought, imprudent.

Colonel *Evans* contended, that if the military force kept up in the colonies was based upon population, there was no reason why the colonies should have 33,000 men to protect them, when 22,000 were found enough for Ireland. He particularly wished to know, also, why garrisons were maintained in islands, as if we had no navy? With respect to Ireland, he thought, that if the Coercion Bill were worth anything, it ought to have enabled the Government to dispense with keeping up so large a force there. The noble Lord, (the Chancellor of the Exchequer) in 1822, had said, that our colonies were to be considered as valuable either for commercial purposes, or for keeping up our military strength; but he (Colonel Evans) did not exactly see how colonies could add to our military strength, when forces were employed in the colonies, which other parts of the empire might need. He wished to make an observation or two relating to the chaplaincy of Chelsea Hospital. The noble Lord (Lord J. Russell) had, it was said, the intention of appointing a gentleman of the name of Gleig to this situation, and he was induced to refer to this *on dit*, in consequence of seeing that gentleman's name mentioned in a very disagreeable manner. He had known him in the army, when he was but seventeen or eighteen years old, and having enjoyed the advantage of his acquaintance, he had had the opportunity of seeing him discharge the duties of his parish in the country, and he was bound to say, that a more exemplary character never lived. He had been charged with the editorship of a violent political paper; but he neither was at that time, nor had been at any time, the editor of any paper whatever.

Major *Beauclerk* was convinced, that the statement which had that evening been laid before the House would give more satisfaction to the country than any act which had proceeded from the Government for a long time. He had not been a flatterer of the Government, and would not give them his support on the present question, unless he believed they were acting on sound principles; and really when he found his hon. friend the member for Middlesex coming forward with a proposal for the immediate reduction of 9,000 men, he could not go so far as his hon. friend. The consequence would be, that the young men would leave the army, and the old would remain in it, and in a year or two they would be obliged to give pensions to the old men, who would be disabled from further service. The conduct of Ministers on this occasion had been throughout manly, open, and fair, though, if no further progress were made next year, he should be as ready to oppose Ministers as he was now to tender them his support.

Sir *Henry Hardinge* did not think it his duty as a public man to cripple the efficiency of the army by unnecessary reductions. His Majesty's Ministers were, in his opinion, the best judges of what the number of the army should be, as the proper consideration of the question depended on so many circumstances, and required so much patient and laborious investigation, that few but themselves could form any tolerable decision. At present we had reached the *minimum* of reduction. He would venture to say, that it would be found on experiment impossible to carry reduction further. Of his personal knowledge the 83rd regiment had come from India, after a stay of twenty-four years in that country, in 1829, and was now about to proceed to Canada; and three other regiments, after a like period of service, and a like stay abroad, were, in the course of the year, to be again embarked for a foreign destination. Why, there was no service in the world like it, ancient or modern. A popular assembly like that was not the best calculated to enter into these inquiries, and the best way would be for the House to give their confidence to Ministers—not, to be sure, a reckless confidence, and to look to their superior information for a proper estimate of the necessities of the empire. The hon. and gallant Member read an extract of a letter from the Duke of York, stating, that, in 1822, he had mentioned to Ministers the ineffective state of the army in consequence of the reduction suddenly forced on the Crown, and that Lord Londonderry replied, that if the experiment succeeded, the revenues of the State would be improved; if not, the country would gain experience, and thus either way would be beneficial, and must carry conviction along with it. That experiment was a signal failure, and it was found necessary in the following year to increase the army considerably, and, in 1824, the augmentation was confirmed in that House by a majority of 102 votes to 10, one of which was given by the hon. member for Middlesex. In the year 1825, a further addition was made to the army of 12,000, and the hon. Member, in his opposition to this, found himself in a minority of 5 to 106—more than 20 to 1. At that late hour he would not fatigue the House by entering any further into detail. He would observe only, that there was a charge of 20,000*l*. less for the effective service in 1830 than in this year. In the instance of the land-forces there had been an increase of 29,740*l*.; in the volunteer corps, of 21,000*l*. On the other hand, there had been a saving in other parts of the Estimate. There had been on the whole an augmentation of 50,000*l*.; and a diminution of 27,000*l*. So that, in point of fact, there was in this year a charge of about 23,000*l*. more on the effective service than in 1830. The right hon. Secretary for the Colonies had stated, that a reduction had taken place in the Staff. He begged to remind him, that all the reductions at home in the Staff had taken place in the years 1828, 1829, and 1830, and were therefore to be put to the credit of the late Administration. He was rather inclined to think indeed that at home the Estimate had been raised; and he knew of no reduction of the Staff which had taken place in the colonies, excepting only in the Ionian Islands. With respect to the Estimate as a whole, it appeared to be 318,000*l*. lower than it was in 1830; but the diminution was caused by reductions upon the non-effective service, through the falling in of pensions and of half-pay. The Ministry had made of real reduction, if he might be allowed the words, a diminution only of 30,000*l*. in an expenditure of 3,000,000*l*., and they felt that, without prejudice to the army they could go no further. He should not enter into details at present. On a future occasion, there were points to which he would beg to call the attention of the right hon. Secretary. He should have to ask him a question respecting the pensioners—a question which he had more than once asked during the last two or three years. He alluded to the practice of buying up pensions, which he considered to be a most cruel and discreditable one. When they came to this subject, he had no doubt the right hon. Secretary would be ready to give him all the information he desired. He should also have to call the attention of the right hon. Secretary to a passage in page 76 of the Estimates, which, if not in itself deception, was yet calculated to convey an erroneous impression to the House. It was there set forth, that there was a saving to the amount of 61,000*l*., whereas in reality, there was only a reduction of 19,000*l*. This arose from the right hon. Secretary's having taken larger credit for this year than was usual. He recommended the right hon. Gentleman to adopt the same plan in drawing up his Estimates as was pursued in the Ordnance Department, wherein the vote was always distinguished from the charge. He must inform the hon. member for Middlesex, that the Commander-in-Chief was not in the habit of interfering with the Secretary-at-War in the discharge of his proper duties. He appealed to the Committee if it were not the fact, that the charge, although made, was not proved? There were some other things, which, as a military man, he might be expected to notice. Allusion had been made to the Life-Guards. It was true that reproaches had been formerly cast upon the Life-Guards, and not without justice; but since they had been first sent out on foreign service they had become a most distinguished corps. They had fairly fought their way to the increase of strength which they had received. As to the Foot-Guards, in which he once had himself the honour to serve, every man of proper feeling must applaud the conduct and appearance of that corps, and see that no better or more disciplined corps could be, nor one in better harmony with the feelings of an independent people. It might be well to state also, that the amount of the establishment of Guards was smaller in 1834 than it had been in 1792. In conclusion, the right hon. Gentleman repeated his belief, that while the Government had done all that could be expected from them in the way of reduction with respect to the effective service, the fact was, that little had been left for them to accomplish.

Colonel *Davies* could not support his hon. friend's Amendment, which he hoped would be withdrawn.

Mr. *Gisborne* also declined supporting the Amendment, though he disputed the doctrines put forth by the Secretary for the Colonies. The speech of the hon. Secretary-at-War had convinced him of the inexpediency of acceding to his hon. friend's Amendment.

The Committee divided on Mr. Hume's Amendment: Ayes 46; Noes 282—Majority 236.

List of the AYES.

ENGLISH.
Aglionby, H. A.
Baines, E.
Brocklehurst, J.
Brotherton, J.
Clay, W.
Evans, Colonel
Ewart, W.
Faithfull, G.
Fellowes, Hon. N.
Fellowes, W. A.
Fielden, J.
Grote, G.
Humphery, J.
Ingilby, Sir W.
Jervis, J.
Kennedy, J.
Lister, C.
Lloyd, J. H.
Parrott, J.
Potter, R.
Romilly, E.
Scholefield, J.
Scrope, P.
Strutt, E.
Trelawney, W. L. S.
Turner, W.
Whalley, Sir S.
Wood, Alderman
Williams, Colonel
SCOTCH.
Gillon, W. D.
Parnell, Sir H.
IRISH.
Blake, M.
Evans, George
Finn, W. F.
Jacob, E.
Lalor, P.
O'Connell, Daniel
O'Connell, Maurice
O'Connell, M.
O'Connell, J.
O'Connor, Feargus
O'Dwyer, A. C.
Ruthven, E. S.
Ruthven, E.
Vigors, N. A.
TELLER.
Hume, J.

* * *

HOUSE OF LORDS,

Monday, March 3, 1834.

MINUTES.] Petitions presented. By Lord KENYON, from Woore and Mucclestone, for Protection to the Established Church.—By Earls GREY and DURHAM, and by Lords DACRE, POLTIMORE, and LYTTLETON, from a Number of Places, for Relief to the Dissenters.—By Lord DACRE, from St. Leonard's, Shoreditch, for the Repeal of the House and Window Taxes.—By the Earl of MANSFIELD, from Tillicoultry, for a Change in the System of Church Patronage in Scotland; and by Earl GREY, and the Earl of ROSEBERY, from several Places in Scotland, to the same effect.—By Earl GREY, from a Congregation in Bethnal Green, for Protection to the Established Church; and from a Number of Places, against any Alteration in the Corn Laws.—By the Earl of ROSEBERY, from certain Medical Practitioners of Manchester, for the Revision of the Apothecaries Act.—By the Bishop of BANGOR, from Carnarvon, for the Better Observance of the Sabbath.

PROXIES—JEWISH DISABILITIES.] The Marquess of *Westminster* said, that their Lordships would probably recollect, towards the close of last Session of Parliament, he stated it to be his intention, early during the present Session, of bringing under the consideration of the House a motion relating to their Lordships' proxies—whether or not it would be advisable to make an alteration in the practice which had long prevailed upon that subject. He believed the topic had never been brought before the House, except accidentally, since the year 1816. With a view of redeeming his pledge, he now begged to give notice, that he should, on Thursday next, submit such a motion to the House as that to which he had made allusion. He was desirous of taking that opportunity of asking a noble Lord, whom he saw opposite, and who last Session brought the subject relating to the removal of the disabilities affecting the Jews before the House, whether he should again, during the present Session, submit a similar measure for the adoption of their Lordships?

Lord *Ellenborough* hoped, that the noble Marquess would not bring under the consideration of the House, on Thursday next, that Motion which he had just named. That was much too early a day, especially with so short a notice, to submit a Motion upon a subject which so nearly affected the interests and privileges of the House. He knew that several noble Lords who were now absent, were anxious to be present when the subject was introduced, and they could not possibly be in attendance so soon as the day named. He, therefore, hoped the noble Marquess would not, for two or three weeks, at least, bring the Motion in question forward.

Lord *Bexley* was not prepared, after what had occurred in relation to the subject of the Jews, in that and the other House, to take up again that measure of relief to which the noble Marquess had called his attention.

The Marquess of *Westminster* having given notice, towards the conclusion of last Session, of his intention to submit a Motion relating to proxies, at an early period during the present Session, felt bound to redeem his pledge, and had thus early come forward; but, at the same time, he should have no objection to postpone the Motion until after the Easter recess, if it were likely to be attended with inconvenience to any of their Lordships to discuss it at an earlier period.

The *Lord Chancellor* said, in reference to the subject which had been incidentally introduced—he meant that which was connected with the disabilities affecting the Jews—he rose to offer a very few words. No person could feel more strongly than he did upon that subject; but he would throw out for the consideration of his noble friend, whether it did not tend to retard the success of a measure to make it the subject of a yearly Motion. He had generally observed, that the tendency of such yearly Motions was to slacken the interest which Parliament and the country might feel in it. He believed, that the great question of Parliamentary Reform had been retarded by such a course, and that such was the case also with another great question—Catholic emancipation. Those questions might have lasted for years, had not the habit of yearly bringing them forward been suspended. As he had before said, no man felt more strongly than he did, in favour of the measure for relieving the Jews, but he was quite convinced, by making it a yearly question, his noble friend would lessen the chances of its success.

The subject was dropped.

THE DISSENTERS — IMPRESSMENT.] The Earl of *Durham* presented several Petitions from Dissenters in different parts of the country, from parishes in Northumberland, Durham, Nottinghamshire, and Leicestershire, praying for the removal of the grievances affecting them. Two of the petitions prayed for the separation of the Church from the State. To this prayer he would not give his assent. With regard to every other object except that, he expressed his concurrence; for he thought, with that exception, which applied to the two petitions, the petitioners prayed for nothing which ought not to be granted. He deeply lamented, that the Bill which had been introduced by his noble friend (Lord John Russell) in the other House of Parliament upon the subject complained of by the petitioners did not go far enough. He, however, trusted that his noble friend and relative (Earl Grey) would consider the matter with a view to grant relief to the Dissenters. For his own part, he believed, the time had arrived when the just and reasonable prayer of the petitioners ought to be conceded. The noble Earl also presented two petitions against the impressment of seamen—the first from Kingston-upon-Hull, signed by 5,776 persons, and the second from Stockton-upon-Tees. He felt great satisfaction in presenting these petitions—in saying, that it was the opinion of some of the most distinguished officers, that impressment might be dispensed with. He hoped, therefore, a plan might be devised by which the services of the seamen might be obtained without having recourse to such an objectionable means of getting them as impressment.

Earl *Grey* said, that with respect to the question of impressment, his Majesty's Government did not entertain the most remote wish to do anything that would tend to prevent the subject from being fully considered, for the purpose of ameliorating and rendering the system as little obnoxious as possible; but, as to wholly giving up the power of impressment, especially at the commencement of a war, that he thought was impossible, without endangering—nay, without destroying—that naval superiority on which the greatness of this country was founded. He agreed with his noble friend, and with several other noble Lords, in saying, that the claims of the Dissenters ought to be taken into the serious consideration of the

Legislature, for the purpose of affording relief; and when his noble friend lamented, that the measure now in progress for that purpose did not go further, he should merely observe, that that measure embraced only one subject. But he begged leave to say, that his noble friend and the public should not, therefore, infer that the other subjects connected with this question were not under the consideration of his Majesty's Government. He agreed with his noble friend, that several of the disabilities complained of ought to be done away with. Ministers had turned their serious attention to this question, in the hope and expectation of giving extensive relief to the Dissenters, if not entirely removing those objects of complaint which were mentioned in the different petitions. His noble friend could not feel more anxious than he did, to afford relief where cases occurred of real and decided grievance; and he was happy to find, that his noble friend concurred with him in opinion, that while the Legislature granted relief, they ought to keep steadfastly in view the necessity of supporting the Established Church.

The Earl of *Durham* was sure, after what his noble friend had said, that every disposition existed on the part of his Majesty's Government to give to the Dissenters all such relief as could be reasonably required by them. He was extremely glad to hear that the Bill then in progress did not comprise all the relief for the Dissenters that was intended. With respect to the subject of impressment, he did not think that the abandonment of the system generally would tend to destroy the maritime greatness of this country. By giving proper encouragement, he conceived that a sufficient number of sailors could be procured without the impressment of any class of persons. He would not object to an Order in Council authorizing impressment under peculiar circumstances, but he could not agree to the adoption of the system as a general principle.

Petitions laid on the Table.

HOUSE OF COMMONS,

Monday, March 3, 1834.

Minutes.] Bills. Read a second time:—Anatomy of Criminals (Ireland).

Petitions presented. By Mr. Rice Trevor, from the Justices of the Peace of Carmarthenshire, for the Repeal of the Sale of Beer Act; and from two Places, against Tithes.—By Mr. Edward Buller, from Stone, and Eccleshall, for the Extension to them of the Elective Franchise.—By Mr. Buckingham, from Sheffield; and by Mr. Robinson, from the City of London,—against Impressment.—By Sir Edward Knatchbull, and Mr. Rice Trevor, from several Places, against any Measures tending to weaken the Efficiency of the Established Church.—By Sir E. Knatchbull, from the Coroners for Kent, for an Augmentation of Fees.—By Mr. O'Connell, and Mr. Blake, from several Parishes,—against Tithes, and for the Repeal of the Union.—By Mr. Sullivan, Mr. O'Connell, and Mr. Blake, from a Number of Places in Ireland,—for a Repeal of the Union.—By Mr. Bellew, Mr. O'Dwyer, Mr. Lalor, Mr. Feargus O'Connor, and Mr. O'Connell, also from a Number of Parishes in Ireland, for the Abolition of Tithes.—By Colonel Leith Hay, for an Alteration of the System of Church Patronage in Scotland.—By Messrs. Potter, E. L. Bulwer, Poulter, Penleaze, Heathcote, Childers, and Russell, from a variety of Congregations for Relief to the Dissenters.

Dissenters Grievances.] Mr. *Potter* presented a Petition from a congregation of Dissenters, assembling for religious worship in Hope Chapel, Wigan, praying for relief. They expressed their conviction that religious associations should depend for support upon the voluntary contributions of their own members. They complained of the great hardship and serious inconvenience arising from the want of a legal mode for the registration of births, marriages, and deaths. The petitioners thought they ought to be allowed the use of parochial cemeteries which were public property; they also considered their exclusion from the national schools and universities as very unjust. As regarded the payment of Church-rates, he considered the Dissenters had just grounds of complaint, and he trusted the House would at no distant period relieve them. In many parishes the opposition to them had been successful, not by illegal means, but by a vote of the vestry; two instances of this occurred at Christ Church, Surrey, one in May, and the other in July, and the opposition was so general that there was a considerable majority, not only by single votes, but by plurality of votes under Sturges Bourne's Act. The Church was for three weeks without sexton, organist, and other persons generally employed; even the clock was stopped. A few weeks back every thing was restored as usual, but not by means of the parish funds, and it is generally thought it will be impossible to obtain another rate; a circumstance like this must greatly injure the Establishment. Many other instances might be mentioned where the Church-rates had been so refused. If he were one of the most ardent supporters of the Church, the best and safest course he would recommend was to give up the Church-rates with a good grace. It was said the Church-rates in England amounted to about 600,000*l.*, and an opinion had been given from high authority that they might be very considerably reduced; but he begged to observe, that it was not so much the amount as the principle which was objectionable. An instance of this occurred last year in the great parish of Manchester; a vestry was called to lay a Church-rate, only one halfpenny in the pound was proposed, but the objection even to that small rate was as great as if it had been twenty times as much: the show of hands was decidedly against the rate; a poll was demanded, and at its close, at the end of several days, the rate of one halfpenny was only carried by a majority of 156 votes; nearly double the number of persons voted against the rate, and it was only sanctioned by the plurality of votes under the Vestry Act. As regarded the Dissenters' Marriage Bill, brought in by the noble Paymaster of the Forces, he regretted that it did not go far enough to give satisfaction.

Mr. *Tennyson* greatly regretted that the Bill brought in by the noble Paymaster of the Forces, was not of a more extensive nature, and that his Majesty's Speech did not express something like a recommendation to introduce some measure for the entire removal of the disabilities under which Dissenters laboured. Judging from the measure brought forward by the noble Lord, judging also from the measure of Irish Church Reform passed during the last Session, he greatly feared that nothing satisfactory to the feelings of the Dissenters would be done by his Majesty's Government.

Mr. *O'Connell* said, he had received many petitions of a similar nature from Dissenters, and letters calling upon him to support their prayer. He concurred with the hon. Member who had last spoken, that the Bill introduced by the noble Lord was totally unsatisfactory. With respect to the observation made by the hon. member for Lincoln regarding the Universities, he must observe, that nine-tenths of these institutions were founded with property left for the relief of the suffering souls in purgatory, by the celebration of mass, and other Roman Catholic ceremonies. Now, unless the Government could by an Act of Parliament clear out purgatory, they did away with the intention of the donors, by converting these institutions to any other purposes. He thought, that having established religious equality, their next step should be to extinguish the feeling of asperity and animosity that existed between Christians of different persuasions. One of the best modes of doing this would be to educate the youths of different persuasions together. The Dissenters had requested him to support the prayer of their petitions, and they did him but justice in supposing that he was ready to procure for them that relief from religious disabilities which had been procured for the members of his persuasion.

Sir *Matthew White Ridley* entirely concurred in the prayer for granting relief to Dissenters from those grievances under which they laboured, but he certainly did not go to the extent that some of those petitions went, particularly as far as regarded the separation of Church and State. This was a most mistaken view of sound policy, and if the House were to act upon this recommendation, it would do more injury to the Dissenters themselves, and to the body of the community, than any other measure. He agreed with the hon. and learned member for Dublin that if the measures of relief were to be confined to the Bill brought in by the noble Lord, the Paymaster of the Forces, he should be concerned that it did not go further. He had, however, reason to believe that a measure granting more advantages to the Dissenters, and remedying more grievances, would be soon submitted to the House. A great deal had been said about the compulsory payments of Church-rates, and he concurred in the propriety of putting an end to them; but there was a circumstance which had come to his knowledge, so highly creditable to the character of the Dissenters, that he would take the liberty to state it to the House. In the parish of Saint Martin-in-the-Fields, the Church-rates had fallen into arrear, and a large sum of money was due. The Vestry did not think it right to press a rate for it, but trusted to be able to make it up by voluntary contributions. The plan was tried; the whole, or nearly the whole of this sum was raised, and the collectors informed him that no class of persons contributed more liberally or generously than the Dissenters.

Mr. *O'Dwyer* observed, that there was one principle contained in the Bill introduced by the noble Paymaster of the

Forces which, in a similar Bill introduced by Lord Plunkett in Ireland, had been productive of serious inconvenience and annoyance; he meant the provision which rendered it necessary to have the permission of the clergy of the Established Church previous to the burial of the dead.

Dr. *Lushington* thought it would be much more expedient to wait till the noble Paymaster of the Forces was present, before entering into this discussion. Unless the Bill were fairly stated, and the principles of it fully understood, it was incompetent to any Gentleman, be his talent what it might, to pronounce a just opinion upon any particular part of it. The hon. Member who spoke last had stated that a particular part of the present Bill would be productive of considerable annoyance to the Dissenters. He would state, that when the Bill was seen, and its provisions known, the Dissenters would not entertain that opinion, and for this reason, that there would be no such provision contained in it. He was afraid that it was premature to enter into any discussion at present, but he would say, that it would be competent to any person whatever, whether a Dissenter or a member of the Church, to be married in a Dissenting chapel. He did not introduce the discussion, but he thought it right to correct any misapprehension, and that it was expedient that no misstatement should go forth upon this most important question. It was most desirable that they should not raise an outcry against a measure until they had had an opportunity of considering it, and above all, it was desirable that the truth should be stated at all times.

Mr. *Harvey* said, there was nothing so ungrateful to the ears of Dissenters as the word "toleration;" it should be exploded altogether—perfect equality was what the Dissenters aspired to. All Christians should be put upon an equal footing. He should like to hear reasons for saying that the separation of Church and State would be prejudicial to Dissenters. No argument had been used to prove that assertion. With regard to the property of the Church, it was not the wish of Dissenters to spoliate it, for Dissenters themselves had an interest in preserving such property. It suited the purpose of many to say that the Dissenters required spoliation. Quite the contrary. The fact was, that many Dissenters' establishments were as largely endowed as Churches. They were, therefore, interested in preserving the principle of the security of such property.

Mr. *Finch* admitted, that there was no doubt that Parliament had the power to enact any measures as regarded the Church that it pleased; but he, for one, held that the property of the Church ought to be deemed as sacred as the private property of any gentleman who heard him. The property which had been bequeathed to the Universities was bequeathed to them for a particular and specific purpose; and to interfere with that appropriation—to divert it from that purpose—would, in his opinion, be complete spoliation. He also thought that it was the duty—the bounden duty—of every Christian State to provide, and that most liberally, for the religious instruction of the people.

Mr. *Andrew Johnstone* was convinced that the great body of Dissenters had a very different view of these matters as connected with the Establishment, and that their intention was to strip the Church of all its endowments. The hon. Member (Mr. Harvey) said, that the Dissenters did not pray for, but demanded, equality.

Mr. *Poulter:* I rise to present several petitions from numerous and most respectable bodies of Dissenters of different denominations, residing in the towns of Shaftesbury, Mere, Birdbush, Henstridge, and Stalbridge, in the counties of Wilts and Dorset. The prayer of these petitions is to be relieved from various disabilities and grievances which still oppress the great class of the dissenting interest in this country. One of the principal objects of the petitioners is to be exempted from paying Church-rates. There is certainly a great distinction between the Church-rate and the general property of the Church; the latter, though mixed up with the property of others, being quite distinct from it as to tithe, while the former is a direct tax upon it. It would be difficult to say, that persons not adhering to the Church should be permitted to refuse this payment, because such a right would operate as an inducement to abandon the Church; but I am decidedly of opinion, that if this rate is to be maintained, it ought, under just restrictions and regulations, to be applicable to the repairs of all legal places of religious worship within the parish. Nothing short of this can, or ought to satisfy the just demands of the Dissenters, if the principle of perfect religious liberty is to be maintained. The petitioners also pray for the establishment of a general civil registration of all births, marriages, and burials. If there are difficulties in the way of such a plan, I am sure that an entirely independent system of registration for all these purposes ought to be accorded to Dissenters, and without the slightest interference of the established Church. I can assure the House, that the Bill introduced by the noble Lord, the Paymaster of the Forces, will be most unacceptable to the whole body of Dissenters. I have received the strongest communications from the country, by which I am assured, that this measure will not be regarded as a boon, and will excite no feeling but that of disapprobation and contempt. It may be necessary to prevent the occurrence of clandestine marriages; but this object may be made perfectly consistent with a system which shall separate those who differ in religious doctrines from the Church, from all contact or collision with that Establishment. I trust the Bill will not pass in its present shape, but will receive such alterations as will make it a substantial measure of religious relief, and acceptable to the country. It is not true that the general body of Dissenters regard with hostility the Established Church. Let them only possess the full enjoyment of equal civil rights, and they will regard the Church as a powerful ally in the great cause of religious and moral education throughout the country. On the subject of admission to our Universities, I also decidedly approve of the prayer of the petitioners. They do not desire to interfere with the enjoyment of collegiate property, but they do claim the right of classical education in these Establishments, and I think they are entitled to do so. In all the other general objects and principles of these petitions, I beg to express my most cordial and entire concurrence, and I now move, that they be brought up.

Petitions laid on the Table.

Case of Mr. Dundas.] Mr. *O'Connell* had stated on Friday, that there was a rumour prevalent in Ireland, that a person named Dundas had been improperly appointed to the office of stipendiary magistrate in the colonies. A person of that name, and he understood the person now appointed to an office in the colonies, had been charged with peculation to a large amount, in the supply of certain articles to the yeomanry of Leinster; he absconded previously to an investigation of the subject; and it was discovered, that the vouchers for his accounts were forgeries, and that he had supported them by perjury, having sworn a false affidavit. Directions were given by the Irish Government to sift the forgery and perjury; but Dundas absconded, and nothing further was heard of him till this rumour of his appointment as a colonial stipendiary magistrate. It was but justice to the right hon. Gentleman opposite (Mr. Stanley) to state, that he had never heard before Friday last of those charges against Dundas, and that his attention being directed to the subject, the right hon. Gentleman immediately investigated it, and communicated to him on Saturday, that he had traced out Dundas, verified the charge, and immediately cancelled his appointment. It was clear, that the right hon. Gentleman was entirely ignorant of the character of Dundas, but it was equally clear, that a gross imposition had been practised on the public service in representing Dundas as a person fit to be appointed to a situation of responsibility, requiring not only intelligence but good character. He should be glad to ascertain from the right hon. Gentleman when the appointment took place, and through whom it was made, particularly if the recommendation proceeded from Ireland? Next, he should like to know whether the party, at whose instance Dundas was appointed, might not be called to account? and, lastly, whether it was the intention of Government to proceed against Dundas on the old charge?

Mr. *Stanley* said, that this subject had first been brought under his attention on Friday, when the hon. and learned member for Dublin asked if he had appointed a person of the name of Dumas, or Dundas, from the constabulary force in Ireland to the office of colonial stipendiary magistrate; adding that such a person had been dismissed for peculation from the Irish constabulary. The name of Dumas being rather remarkable, and there being one or two persons of that name in Armagh, he had answered that, to the best of his belief, no person had been appointed a colonial magistrate who had served in the police force, either in England or Ireland, and that he would not knowingly appoint any one who had been guilty of such offences as those laid to the charge of the individual in question. On Saturday he investigated the matter, and learned, to his great surprise, that a person named Dundas, lately appointed by him a colonial magistrate, on recommendations proceeding from a quarter on which he placed the utmost reliance, and in which he had supposed there could be no ignorance of the necessary facts (although he now believed that, in this instance, such ignorance did exist), he found that this Mr. Dundas had acted in a very discreditable manner in the year 1827 (three years before he, Mr. Stanley, became officially connected with Ireland). Having inquired into the subject, and satisfied himself that the transaction referred to was of a discreditable nature, and that this individual was the person engaged in it, he immediately rescinded the appointment, and communicated to the learned Gentleman that he had done so. In answer to the hon. and learned Gentleman's inquiry as to the time at which the appointment took place, he begged to state, that the promise to make the appointment was given two or three months ago, but the actual appointment was not made until within a few days. He wished, also, to observe, that no salary could be received by any officer appointed under the act of last Session, before he reached his destination, and he believed the individual alluded to had not yet sailed from this country. However, whether he had sailed or not, orders had been given to revoke the appointment, for it was his duty to take care that the country should not, by any lapse of his, be put to any needless expense. He trusted that the House would not call upon him to name the person on whose recommendation the appointment in question had been made, because he could not give that information without being guilty of an unjustifiable breach of confidence. He had, however, great satisfaction in informing the hon. and learned Gentleman, that the recommendation did not come from Ireland or from any Irishman. He must add, that it was not the intention of Government to take any steps with a view to punish the gentleman from whom the recommendation proceeded, because they believed him to be entirely ignorant of the facts of the case, and they were not aware that any steps could be taken against him. The hon. and learned Gentleman had stated, that the individual to whom he alluded was a fugitive from justice, and wished to know whether it was the intention of Government to institute any proceedings against him. He certainly did not think it was the duty of Government to become criminal prosecutors in the case, particularly as it was in the power of any person who might have been defrauded by Mr. Dundas to bring him to justice. The gentleman who recommended him to the notice of the Government, knowing him to be in distressed circumstances, had been in the habit of allowing him a regular annuity, which he intimated his intention of continuing, whether Mr. Dundas obtained the appointment or not. It would, therefore, appear clear to the House, that that gentleman, of whose entire respectability he (Mr. Stanley) had every reason to be satisfied, did not make the application to Government in order to be relieved from any charge imposed on himself. He (Mr. Stanley) had now stated plainly and simply all that occurred; he might be open to censure for not having previously inquired into all the circumstances of the case; but he had lost no time in rectifying the error which he had involuntarily committed, by cancelling the appointment before any inconvenience or injury was sustained by the public service.

Mr. *O'Connell* was perfectly satisfied with the right hon. Gentleman's explanation, which had met with the entire approbation of the House; but he begged to remind the right hon. Gentleman, that the offence committed by Mr. Dundas was an offence committed against Government, and not against an individual. He had forged receipts of the payment of the tolls on Wexford-bridge, for the passage of the Police, and he had, in various ways, put 6,000*l.*, or 8,000*l.*, at least, of the public money into his own pocket. This was a case which should be taken up by Government, and ought not to be left to the prosecution of private individuals.

The House then went into a Committee of Supply.

SUPPLY—ARMY ESTIMATES.] Mr. *Ellice* thought it unnecessary, after the discussion which had taken place on Friday evening last, on the subject of these Estimates, and after the House had voted the number of men for the effective service, to do more than put the first vote into the hands of the Chairman. At the same time, he should be very ready to answer any question which might be put to him respecting the various items, in order that they might be fully and clearly understood. The right hon. Gentleman then moved the first vote,—"That a sum, not exceeding 3,056,873*l.* 18*s.* 11*d.* be granted to defray the charges of his Majesty's land forces, for service at home and abroad (except the regiments employed in the territorial possessions of the East-India Company.)"

Mr. *Cobbett* would make no objection to the number of men proposed by the right hon. Secretary, for though there was no war at present, no likelihood of a war, nor, indeed, any likelihood of the word being pronounced, either in that House or any where else, still it was certain that fifty millions in gold could not be collected without the aid of a numerous standing army. However, although he did not object to the number, he would not let that question pass without objecting to the sum required for their pay. The right hon. Secretary had inquired a few nights since, whether any Member contemplated reducing the present pay of the soldier? He (Mr. Cobbett) would reduce it. The present pay of the soldier was 7*s.* per week; besides this, he had his flesh meat secured to him through the year at a certain fixed rate. He had small beer, or some such drink, at a cost to the country of 68,000*l.* per annum. With a few exceptions of trifling articles, he was clothed from head to foot. He had coals and candle-light. Indeed, his allowances amounted to almost board and lodging, together with his 7*s.* per week. Let that be compared with the condition of the agricultural labourer, and the House would see the necessity of the reduction. An hon. Baronet (member for Buckinghamshire) said, that he (Mr. Cobbett) excited the poor to incendiarism; and, in a letter written to the Poor-Law Commissioners, this same hon. Baronet stated, that, before the burnings, the wages of the unmarried labourer had been 4*s.* a-week, and that it was afterwards raised to 5*s.*, at which the farmers were dissatisfied. This seemed as if the 5*s.* were thought too much, and yet the hon. Baronet would not object to the 7*s.* to the soldier, with fire, candle-light, lodgings, and all the other advantages. He (Mr. Cobbett) would only tell the hon. Baronet to take his letter, in which 5*s.* a-week was thought too much for the labourer, to the poor of his parish, read it for them, and then add, that he voted 7*s.* per week to the common soldier. The right hon. Secretary had described, in glowing and eloquent terms, the difficulties and hardships of the soldier's life; but he contended that, in England at least, these hardships were not great. Besides, he underrated the pay at 7*s.*, for, taken altogether, at an average, horse, foot, artillery, and musicians, it amounted to nearly 1*s.* 6*d.* per day for each. The right hon. Secretary had been very eloquent in describing the various sufferings to which soldiers were exposed; now freezing in a cold, and then frying in a torrid clime. Indeed, so vivid was the picture he drew, that hon. Members might almost fancy they saw the poor victim broiling before their eyes [*a laugh*]. In truth, the right hon. Secretary was a very honourable, a very clever, a very sincere, and very honest man, but, in reality, he knew nothing of what he was talking about—nothing more than his youngest child, who might be at that very moment in his cradle. He knew something of the matter. He had not, indeed, been under the line—he had not suffered the roasting, broiling, and scorching, in the description of which the hon. Secretary had been so very eloquent; but he had passed seven years in as cold a region as any English regiment had ever been stationed in, and a very pleasant sort of life they had of it there. Their summers were passed in fishing, in shooting wild pigeons, and in visiting the cottages of the Yankee girls. Their winter amusement was in skaiting, walking through the forest in snow shoes, or sitting by a cheerful fire in the barrack-room, laughing, chatting, and drinking good rum at 7*d.* per quart. Their weekly allowance was seven pounds of flour, which was equal to nine pounds of bread, for each man, four pounds of the best pork, bought by the money of the English poor, six ounces of butter, a quart of pease, and a quart of rice. Was not this more than, upon an average, the families of any two poor labourers in England had? Could not men be procured at a cheaper rate than the present to endure such sufferings as he had described? But then, it had been said, how can you reduce the pay? how can you break the bargain entered into with those men? Had the king no power—were they Janissaries, that the King could not get rid of them? Had not the

King dismissed Sir Robert Wilson; and, if so, surely his power extended to the privates? The right hon. Secretary himself proposed to get rid of some of them. The House must be convinced that the pay was too high, and that it was too much to devote millions to the maintenance of those two great corporations—the Army and Navy. If Ministers could not get rid of them, the House must. It was impossible to disconnect this question from what had been proposed with regard to the Poor-laws, and the Report brought forward on that subject, which had been sanctioned by a brace of unfeeling bishops. In that report, it was proposed that the labourers should be shut up in a sort of Bastille; but the report would go through the country, and these men would know of the proposition that had been made concerning them. He wished to throw the observations before the House, but would not object to vote the money, as the contract had been made.

Mr. *Methuen* protested against the opinions set forth by the hon. member for Oldham. He believed that it would be found, on inquiry, that, although the labourers in the country might not always be so well and regularly fed, they received more money than the soldiers, and their wages were always regularly paid. The hon. member for Oldham had selected a subject very different from others which he might have better brought forward; but he did not believe that there was any other hon. Member present, who had fairly considered the subject, who would think that the soldiers were overpaid. The hon. Member had dwelt on the sufferings endured by the labourers as compared with the soldiers. Now, if they compared many classes of labourers, such as bootmakers, shoemakers, painters, &c., it would be found that they were much better paid than soldiers. If the situation of the soldier was compared with that of the servant in a gentleman's family, it would be found, that the amount of the board wages of the latter were considerably more than the pay of the former. In his opinion the soldier was not overpaid.

Sir *Henry Hardinge* was surprised to hear the speech of the hon. member for Oldham, and, above all, as he understood the hon. Member had formerly belonged to the profession of which he had the honour of being still a member. He was astonished that the hon. Gentleman should have introduced a subject which tended to lower the character of the soldiers of the British army. He differed entirely from the hon. Member, and believed that the soldiers were perfectly satisfied with their condition; and there was not a more loyal body of men, although they received a smaller pittance than any class of persons in his Majesty's dominions. On referring to page 258 of the Report of the Commissioners on the Poor-laws, it would be found stated, that the soldier was ill-paid as compared with any other class in the country; and, although the able-bodied pauper had not so much as the soldier, the pauper was much better fed and lodged. The soldier received brown bread (and here he would beg the attention of the hon. member for Oldham, as the observations were a good deal in his style) The brown bread given to the soldiers was such as was sold in London, under the name of household bread, whilst all the paupers in the workhouse received white or wheaten bread. Mr. Hewitt, in his evidence before the Commissioners, said, that he had seen the convicts hold up their wheaten bread to the soldiers who were guarding them, and say, "Look here, brown tommy; brown bread will do for you, but not for us." The soldier was satisfied with his condition, as he was sufficiently well paid; and he was sure that the House would agree with him that soldiers were not overpaid. The Report further said, that the family of the pauper had a larger allowance from the parish than the family of a soldier. The Report gave, besides, a comparative scale of comforts enjoyed by the different classes. The independent agriculturist was the worst off in that scale; the soldier was so in the next degree; the able-bodied pauper was the next; the suspected thief was above him; and the convicted felon was the best off of the whole lot. There, perhaps, was reason for this, as the state of despondency into which the convict was thrown, may require more generous diet. As to reduction, it was out of the question; and, in war-time, the allowance was by no means sufficient for the hard labour they had to perform. The soldier was at present contented and happy, and would remain so, if the hon. member for Oldham, and others, would allow him.

Lord *Althorp* was surprised at the observations of the hon. member for Oldham, and was persuaded that, there could not be in that House an opinion favourable to the reduction of the pay of the soldiery. The comparison made by the hon. member for Oldham, between the labourer and the soldier was not a fair one, neither was it fair to assume that the result of the inquiry entered into by the Poor Law Commission would be unfavourable to the agricultural labourer. He could assure the House, that whatever course might be adopted in consequence of that inquiry, it should not operate to the disadvantage of the labourer, or render his situation worse than it was at present. That condition he admitted was bad enough; but it was principally owing to the mode in which the Poor-laws operated, and the object of the Commissioners was to remedy their defects. He was aware of the difficulties with which the question of Poor-laws was beset, but when the subject came to be discussed, hon. Gentlemen would perceive, that it was the desire and anxious wish of Government to do all in their power to benefit the labouring classes. Again, he would say, that assumptions should not be made which were only calculated to arouse popular excitement.

Colonel *Davies* regretted, that any improper comparison should be drawn between the situation of the soldier and that of the labouring man. He agreed with his right hon. and gallant friend (Sir H. Hardinge) in attachment to the service to which they belonged. The question, as stated by the hon. member for Oldham, was, whether the soldier had not more than sufficient pay. If it should be the opinion of the House that that was the case, still it was impossible to make any alterations at present, as a bargain had been made with the soldiers, and he would fulfil the contract to the utmost letter. He did not, however, see that there would be any injustice in making a bargain hereafter with the soldiers when they enlisted, that they should receive less pay. That, however, was entirely a question of expediency. Formerly it was the custom to pay the soldiers once a month, but they, with their usual imprudence, generally squandered all away in the course of a few days; the consequence was, that the present system was adopted. At present he had no hesitation in saying, that the soldier in the British army was much better off than the soldier in any other service. He would only add, if it were determined to take off a penny a day, it might be done as regarded those who hereafter enlisted, but it would be impossible to break a contract entered into.

Sir *Henry Hardinge* would observe, in reply to his gallant friend, that he had been for some time attached to the Prussian army, and he would say without hesitation, that the Prussian soldier was quite as well off as the British soldier. He could also state, on the evidence of a high military authority examined before a Committee of that House, that the French soldier, if anything, was better off than the British soldier. A more loyal set of men than the British army did not exist, and they were deserving of every encouragement.

Colonel *Davies* wished to ask his gallant friend, whether he had not been with the Prussian army in the field, and not in time of peace? He (Colonel Davies) had reason to believe, that, in time of peace, the Prussian army were served with coarse brown bread, which British soldiers would throw away. He also believed that the authority referred to his gallant friend was in error as to the situation of the French soldier. He (Colonel Davies) believed, that the French soldiers were in a much worse situation than the English soldiery.

Mr. *Cobbett* said, that the right hon. and gallant Officer (Sir Henry Hardinge) spoke of the Report of the Poor-laws Commissioners, as if it was the Bible, and ought not to be called in question. Now, he knew, as many Members of that House knew, and as had been stated by many Magistrates, Clergymen, and others, in Petitions to that House, that the Report contained many gross falsehoods. The Report, after all, was but the opinion of the persons who drew it up; and he would venture to say, that with the exception of one of the Commissioners, they knew nothing about the subject. It would have been much better to have left the matter to a Committee of Gentlemen of that House, rather than to those who had been selected to investigate the subject. What could two Bishops, and three Barristers, and two newspaper reporters, know of the working of the Poor-laws? If his Majesty's Ministers were anxious to remove any of the evils from the present system of Poor-laws, why not appoint practical men to examine the subject and draw up measures of improvement? He had made no attack upon the soldiers; he had only imputed to them a wish which operated on all mankind, namely, a desire to live as well as possible, with as little exertion as possible on their parts. He confessed this motive had influenced him, when he was in Nova Scotia and New Brunswick, and, in spite of what had been said of the sufferings of the soldiers, he knew they had enough of everything, and indeed more than enough.

Mr. *Ellice* trusted that the hon. Members would not persist in a discussion of this kind, when it was perfectly obvious that it could not lead to any result. For his own part, he was satisfied that it would be impossible next year, or, indeed, for many years to come, to make such a reduction as the hon. member for Oldham desired.

Mr. *Guest* found, upon examining the Estimates, that a much larger sum was paid for the Guards than for the infantry of the Line. He conceived, that all the duty done by the guards might be done by the regiments of the Line. The difference betwixt the cost of the Guards, and the cost of an equal number of infantry was 62,789*l.*; and he therefore moved, that 62,789*l.* be deducted from the vote, with the view of equalizing the pay of the Guards and other troops.

Mr. *Ellice* said, that he could prove by calculations what he had stated on Friday night, that the Guards, as a corps, including all their officers, cost no more than an equal number of the Infantry of the Line, making allowance for the penny additional which was given to them in consequence of the extra duties. On a comparison of the expense of seven battalions of the Guards with seven battalions of the Line, both containing about 4,640 bayonets, it appeared, that the Guards cost 210,508*l.*, or about 45*l.* 7*s.* 8*d.* per man; whilst the Line cost 200,108*l.*, or about 42*l.* 3*s.* 7*d.* per man; the difference being very trifling, and much more than accounted for by the additional penny per diem, granted to the former in consequence of their having to perform duty in the metropolis. Considering the additional duty which fell upon them, and that the increase was one of very long standing, he thought it was of a nature which did not call strongly for a reduction, which would moreover create great dissatisfaction. Reference had been made to the Life Guards, but this force was, as it were, attached to the Crown, and formed part of its state and dignity. Still the expense of the Life Guards was much over-estimated; and he could assure the hon. Member opposite, that they had only nineteen more horses on their effective establishment than in 1792. There was certainly some difference between the two descriptions of household troops, the Life Guards having 3*d.* per day more than the Blues. How this difference arose, he could not tell; as his attention had only recently been called to the circumstance. He knew, however, that the matter had not escaped the notice of his predecessor, but it was much easier to recommend Reforms in that House than to carry them into effect.

Mr. *Matthias Attwood* was inclined to think, that the pay of the whole army required revision. The salaries of the highest Officers of the State had been reduced, and he saw no reason why the pay of the soldier should not be lowered.

Sir *Henry Hardinge* would only observe, in answer to what had fallen from the hon. Member who had just sat down, that the increase in the pay of the soldiers of the British army took place in 1797. That was previously to the currency being depreciated, so that the argument of the hon. Gentleman fell to the ground. With respect to what had fallen from his gallant friend, the member for Worcester, (Colonel Davies) he would only observe, that the practice of distributing the brown bread he had alluded to, to the soldiers of the Prussian army, had long since ceased.

Mr. *Cobbett* said, he recollected the 12th regiment, like the other regiments, had only sixpence a-day to support themselves; and, during seven years, it was known that not a man was punished in the regiment.

Mr. *Thomas Attwood* condemned the attempt to cut down the salary of the soldier, and disapproved of those reductions in the army. He would be glad to see large reductions in high quarters, but he deprecated such low and paltry economy; those miserable attempts to pinch and screw a petty saving from the hard earnings of the unfortunate soldier. The hon. member for Oldham had said, that the pay of a private soldier had, of late years, been doubled. Why so it had, and so had the salaries of the Ministers and the Judges. Cut them down half too. The rent also had been doubled. Yes it had; the rent of land had been equally and fraudulently raised. He deprecated this candle-ends and cheese-parings economy. What, were they going to do this when they would want an increased force? The honour of the nation had been much neglected for want of a competent military force, and England had, in consequence, not assumed a proper attitude of opposition towards Russia. He had seen the recommendations of the Poor-law Commissioners. [*Question.*] It was the question which concerned the present vote—for a Magistrate had said, that if those recommendations were carried into effect, it would take 40,000 men to preserve order in the county of Kent, and he could, from his own knowledge, prove, that they would require 20,000 men to keep Birmingham quiet, if those suggestions were adopted. To give the House some idea of the subject, he would just tell them how the paupers, in his parish, were employed, and their pay, which they might compare with that of the soldier. He had the list delivered into his own hand by one of the parish officers in December last. These paupers were employed by the officers in wheeling sand and stones. Sixty-one able-bodied paupers were employed in wheeling sand. This was the number of those who wheeled sand. It was no laughing matter; he wished some of the hon. members who laughed, had to wheel wheelbarrows full of sand all day long; they would not laugh then. The single men were allowed only 1*s.* a day; a married man with one child 1*s.* 4*d.*; with three children 1*s.* 7*d.*; and with four or more 2*s.* Now, these wheelbarrows full of sand [*Laughter*]—He was surprised that hon. Members could find anything to laugh at in that. He did not approve of such low ribaldry. Well, this wheelbarrow full of sand weighed 140lb., which those labourers had to wheel up a hill, and then to wheel the empty barrow back again; making the whole distance a mile and a half. This was to be done sixteen times in the course of the day, being a twenty-four miles' march, for which these men got one shilling. But eight of these miles they had to wheel the barrow laden up hill. He should allow six miles more for that. That made altogether thirty miles a day, which these Birmingham button-makers and brass founders, had to go with their barrows; and they only got one shilling. Thirty miles would be a tremendous march even for soldiers, brought up to marching, though they would do it for the glory of their country. What, then, must such a march daily be to these poor button-makers?

Mr. *Hume* was very much surprised at the extraordinary speech which had just been delivered by the hon. member for Birmingham. He wished to know, whether the hon. Member was in earnest, as his speech, and especially the first part of it, would justify, not a large diminution, but a large increase in the amount of the British army. If we were to keep up an army to re-establish the Poles at Warsaw, and to protect the Grand Seignor at Constantinople, no one could be rash enough to say, that our present army would be sufficient. What did the hon. Member mean? What did the hon. Member wish the Government should do? In his opinion, his hon. friend, the Secretary at War, might have pushed his reductions even further than he had already carried them, but the hon. member for Birmingham was of a different opinion, and would not give his hon. friend the slightest credit for the very proper reductions which he had already made. From the arguments which the hon. Member had employed that evening, it might be supposed that he was anxious to drive the country into war in order to get out a deluge of paper. He was sorry, that the hon. Member had not reflected upon the melancholy consequences which had resulted to the country from the deluge of paper with which it was inundated during the last war. He was happy to say, that very few Members could be found to concur with the hon. Member in the dangerous doctrines which he had propounded on that subject. We had already paid severely enough for having once permitted that deluge. We had got out of that scrape, at present, though we had been pretty well scotched in the struggle; and he sincerely hoped, that we should not be foolish enough to retrace our steps and plunge again into the evils from which we had escaped, as it were, by a miracle. What had the hon. Member been sent into that House for? Was it not to promote economy? ["*No!*"] No! then was he more astonished than ever. Had not the hon. Member stated, that a cheap Government was the great and leading object of the Reform Bill?

He thought, that the measure which the hon. member for Birmingham recommended as the panacea for all the distresses of the country was the most monstrous proposition that had ever been brought forward by a representative of the people, and he was sure, that whatever the hon. Member might think upon the subject, his suffering constituents at Birmingham would not thank him for objecting to reductions which were calculated to mitigate the pressure of that taxation under which they were unfortunately groaning. He had scarcely ever heard a speech more full of inconsistencies than that which the hon. Member had just delivered. They appeared, at least, inconsistencies to him; but that might be because he was not able to understand the hon. Member, or the object at which he was driving. [*A laugh.*] Gentlemen might laugh, but he was sure, that if the House adopted the opinion of the hon. Member, it would hurry the country into the most lamentable and fatal results. To return, however, to the subject more immediately before the Committee. He had heard nothing, either on that evening, or on the evening of the last debate on this subject, which could induce him to alter the opinion which he had then expressed, namely,—that the number of men voted for the military service of the year was too great; but as the Committee had already decided that point against him, he would not give it the trouble of dividing upon the amount of the grant necessary to support the fixed number of men. He thought, however, that as we were not in a state to continue the payment of 6,000,000*l.* to the army, we ought to exercise the strictest economy in forming the Estimates. Hon. Gentlemen might think, that the country could bear that amount now; but if any pressure came, they would find, that it was not in the power of the country to bear it. In entering his protest against this extent of expenditure, he would beg leave to call the attention of the Committee to various items which he found in the Estimates. And first, to the item for recruiting, where he thought, that a saving of 20,000*l.* might be effected. The Committee had been told, that the ranks were not to be filled up till the army was reduced, by deaths and other circumstances, to a certain amount. Why, then, was the country to be charged with 10,800*l.* as levy money for 2,700 recruits for Great Britain and Ireland? Why should it be charged with 3,000*l.* as levy money for 800 recruits for the colonial corps? Why also should it be charged with the expenses of the recruits in joining their regiments, and at the different dépôts? Why too should the amount of regimental contingencies remain so large? The hire of carriages on marches, and the travelling expenses of officers, ought to form part of the regular regimental expenses. He saw a sum of 18,000*l.* and upwards voted as an allowance in aid of the regimental messes in different parts of the King's dominions. That sum was originally granted to prevent the officers from suffering by an additional duty that was placed upon wine, but that duty had been since taken off; and as his hon. friend had reduced the table money of the Guards from 6,000*l.* to 4,000*l.* a year, he saw no reason why a reduction should not be made in the amount of this mess-money. He must complain, that during the last year twenty-seven officers in the three regiments of Guards had received promotion, whilst no more than thirty-one officers had received promotion in the ninety-nine regiments of the line. The officers of the Guards had a special advantage in the rapidity and facility of their promotion. Why, then, should they be further encouraged with other special advantages, such as their table money, their supernumerary officers, &c.? He wished his hon. friend to explain a little more fully what was meant by the two items of "Travelling expenses of officers," and of "Allowances to officers commanding, and to acting staff officers, and non-commissioned officers of dépôts of regiments on foreign service." The last item he saw amounted to 9,500*l.* He also wished to get rid of the table allowance for the officers of the Guard at Dublin Castle. That allowance, which was 1,000*l.* a year, ought to be got rid of, as well as the table money to the Guards in London. If the Lord lieutenant were withdrawn from Dublin, the table allowance to his guard at the Castle must go along with him. He knew not exactly what advantages might be derived from such a measure, but of this he was sure, that many advantages would flow from it. He was of opinion, that without at all interfering with the efficiency of the army, all the expenses to which he had just alluded might be reduced. He should not offer any opposition to the grant, but would merely enter his protest against it, that he might not be supposed to give it his concurrence.

Mr. *Ellice* was sure, that it would be a satisfaction to his hon. friend, the member for Middlesex, to learn that the vote of men for this year did not go to the extent which he supposed. He had mentioned to his hon. friend before, that there was, in point of fact, a considerable reduction in that vote, inasmuch as all the colonial corps were included in the Estimate of this year, which was not the case before the year 1828. If his hon. friend would take that circumstance into his consideration, he would find that the excess of the number of men voted this year over the number of men voted in 1822 was not 10,000, as he supposed, but only 5,000. He was sure, that the annunciation of that circumstance would give some satisfaction to his hon. friend, the member for Middlesex, and still more to those hon. Gentlemen who had voted with him on Friday night. Referring to the remarks which his hon. friend had made on the expense of the recruiting department, he observed that he partly concurred in them. Low as the Estimate for recruiting was at present, the expense appeared too high under existing circumstances. He had represented to the proper authorities, that such was his opinion. He could not, however, forget, that if we stopped the recruiting department entirely, we might, at a future time, be put to greater expense in re-establishing it. He could assure his hon. friend, that he was most anxious to reduce that expense as low as possible. The levy-money for recruits was fixed at 4*l.* 6*s.* a head, and that was, he believed, the sum usually allowed. It was necessary, as a contingency, if it were only to meet the case of regiments coming home skeletons, as they too often did, from service in foreign climates. Soldiers could not be transferred from other regiments, and, it was, therefore, necessary, that those regiments should be filled up with recruits. He expected a regiment, which was now reduced to a skeleton, home from India in a few days. It was such a circumstance as that, which had prevented him from making such great reductions on this head as he had originally intended. He would, however, use every exertion to keep this item of expense as low as possible. Another of the items to which his hon. friend had alluded, and on which he differed not only from his hon. friend, the member for Middlesex, but also from his predecessor in office, the hon. member for Dundee, was, the mess allowance to marching regiments. He thought, that it would be a hardship to reduce that allowance, considering the peculiar circumstances under which it had been granted. It had been granted for a considerable space of time, and had been granted on account of the expensive and dangerous service to which officers were liable in some of our colonies. It was an item of no great amount, but still he admitted it to be deserving notice. The mess-money of the Guards had been reduced from 6,000*l.* to 4,000*l.* a year, and, in making that reduction, he had done all that he could. This allowance had existed ever since the Revolution, though it had been paid, at different periods, out of different public funds. The present expense was not unreasonable, and, though it might be of no importance to the field officers of the Guards, it was not so immaterial to the junior officers. The subalterns of the Guards, it ought to be considered, were worse off than the subalterns of the Line, for they had no lodging money allowed them, and were compelled to incur various expenses from which the subalterns of the Line were free. He thanked his hon. friend, the member for Middlesex, for the candid nature of his observations, and hoped, that the Committee would follow the example of his hon. friend, and abstain from offering any resistance to the grant then before it.

Colonel *Wood* said, the mess allowances were given to officers of the Line under peculiar circumstances. There were some of them who had no income besides their pay. Thus circumstanced they could not partake of wine at the mess, and it was painful to see them under the necessity of allowing the bottle to pass without filling their glasses. This was represented to the Prince Regent, and it was at first proposed to increase their pay. On reflection, however, it was thought better to give a moderate allowance of wine to enable them to drink two or three glasses at dinner. On this account it was called the Prince Regent's allowance. No person surely would wish to see persons shut out entirely from the army because they had no income but their pay. The increase of pay in the army did not arise from the depreciations, for in point of fact it was increased before the depreciation began. He did not consider the pay which the Guards received too large. That, however, was not the question; for what they were now called upon to decide was, whether the allowance which had heretofore been made for the mess-table of the officers of the Guards should be continued or reduced? He thought that no reduction should be made, and for this reason, that the regiments of the Guards were not more expense to the country than were those regiments of the Line which were equally efficient.

Sir *Henry Hardinge* considered that the sum now proposed to be voted for the mess-table of the officers of the Guards would be wholly insufficient for the purpose. He, therefore, hoped, the right hon. Secretary (Mr. Ellice) would look into the matter again, and correct the error into which he had fallen in this respect. It should be recollected, that the officers of the Line had allowances, such as coals, candles, &c., which were not made to the officers of the Guards; and that if the officers of both forces were to receive the same advantages the officers of the Guards, instead of 6,000*l.* would be entitled to 12,000*l.* a-year. The House would not have objected to the original vote; and if the mess-table of those officers were reduced so as to oblige them to seek their dinner in regimentals at a hotel or coffee-house, it would be little creditable to the service. But he felt assured, that the right hon. Secretary would soon discover how inadequate 4,000*l.* would be for this purpose.

Mr. *Ellice* thought, the better way would be to leave the matter altogether in his hands. He must, however, say, that he had looked into the case with some attention, and that if he had not been convinced that 4,000*l.* would be sufficient, he should not have made any change in the vote of last year.

Sir *Henry Hardinge* assured the right hon. Secretary that no contractor would be found who could provide a proper mess-table at the rate of allowance proposed. In this he knew every officer in the Guards would agree with him.

Mr. *Ellice* thought it very hard that, after doing all he could to satisfy every party, he should be taunted on the one side by the right hon. Baronet, and on the other by his hon. friend, the member for Middlesex with doing nothing. [An *Hon. Member*: you are doing nothing.]

Sir *Henry Hardinge* observed, that the right hon. Secretary was merely coquetting with the hon. member for Middlesex.

Mr. *Ellice* begged to deny the assertion of the right hon. Baronet, that he was coquetting either with the hon. member for Middlesex or any one else. He was merely performing his duty as well as he was able; and neither the remarks of the right hon. and gallant Officer, nor the observations of the hon. member for Middlesex, though delivered in a very different spirit, should deter him from discharging what he conceived to be his duty to the House and to the country.

Mr. *Cobbett* said, it was not very consoling to his constituency at Oldham to know that the officers of the Guards were to have 4,000*l.* allowed them for their dinners, while the labouring poor in that part of the country could earn little more than 2½*d.* a-day. [*Laughter.*] This was no laughing matterr he could assure hon. Gentlemen.

Sir *Henry Hardinge* must repeat that, if the officers of the Guards were allowed the advantages possessed by the officers of the Line, instead of 6,000*l.*, they would be entitled to 12,000*l.* He was, therefore, fully justified in all that he had said, and the advice which he had given to the right hon. Secretary.

Mr. *Hume* considered, that the officers of the Guards ought to be very well content with 19*s.* a day for dinner. Indeed, if they expended more for such a purpose, he did not think they would be fit for duty afterwards.

Mr. *Thomas Attwood* had studied the question of the currency for twenty years closely, and he was quite satisfied in his own mind that unless recourse was had to paper money, the country could not prosper. The hon. member for Middlesex (Mr. Hume) had insinuated that he wished for a war. He denied the insinuation. He had certainly told the House last Session that Constantinople was in danger, and what had happened? why, in a short time afterwards, the Autocrat of Russia was in possession of the capital of the Turkish Empire. He had in like manner foretold what happened to the Dardanelles, and perhaps it was not true that Russian artizans were now actually engaged in erecting fortifications to render the Dardanelles impassable by British ships. But he had not spoken a word about war. He was surprised that the hon. member for Middlesex should have made insinuations.

Sir *John Byng* thought, that he was as competent as any one to give the House good information respecting the mess-table of the Guards, and the advantages enjoyed by officers of the Line as contra-distinguished from those of the Guards. He was bound to say, that the officers of the Guards considering their duties, were not as well paid as those of the Line. Among other things, every seven battalions of the Line were allowed a sum of 1,200*l.* for wine for their mess-table, while no such allowance was made to the officers of the Guards. The officers of the Guards had not a shilling for any such purpose.

The vote was agreed to.

Mr. *Ellice*, in proposing the next vote, observed, that there was an increase of 2,242*l.* 13*s.* 4*d.* in the charge for General Staff Officers, and officers of hospitals serving with his Majesty's forces in Great Britain, owing to an increase of pay and the transfer of the Staff Officers to the different garrisons. In the item for money allowed to officers for lodgings, there was also an increase of about 600*l.* He was sorry he was unable to give that sort of information to the House which would clearly explain the nature of the vote for extraordinaries of the army; but he was himself in the dark on this subject at present. Before next year, however, he should be in a condition to throw something like light on this particular vote. In the charge for additional pay to chaplains and medical officers, there was a decrease of 164*l.* He should now explain to the House the reason why he had not been able to comply with the recommendation of the Committee of the last year with respect to the reduction of the number of Staff Officers at head-quarters. Desiring to carry that recommendation into effect he wrote to the Commander-in-Chief on the subject, but that noble Lord in answer informed him that the reduction proposed was not practicable. With every desire to assist in carrying the recommendation of the Committee of last year into effect, his Lordship said, that, consistently with the efficiency of the service, it would not be possible to consolidate the offices of Quartermaster-General and Adjutant-General under one head. The duties of the one related to the discipline, arming, and clothing of the army; and those of the other had regard to its efficiency, appointments and movements. It was, therefore, the noble Lord observed, impossible that they could be consolidated as the Committee had advised, and more especially as for upwards of a century and a half the Staff at head-quarters had been considered as the officers of the King, and as forming part of his Majesty's State. On receiving the Commander-in-Chief's reply, he had made every possible inquiry on the subject, and from what he could learn, he was bound to admit that the duties of the Adjutant-General had increased, he might almost say quadrupled. The offences now tried by Courts-martial were infinitely more numerous than formerly, and nothing could exceed the care with which the evidence in each case was investigated at the Adjutant-General's-office. Indeed, the labours which now devolved on his hon. and gallant friend (Sir John Macdonald) who filled that office, were greater almost than he was able to undergo. He had not the same means of ascertaining the nature and extent of the duties which the Quartermaster-General had to perform; but he thought that after these explanations his hon. friend the member for Middlesex, would not press the Motion of which he had given notice, but rather leave the matter in his (Mr. Ellice's) hands, with the assurance that he would do all that could be done in the way of reduction, as circumstances should arise. His hon. friend might protest as strongly as he pleased against the vote; but if he would abstain from pressing his Motion, he might depend on it, that if any change occurred, advantage should be taken of it. There was only one other point that seemed to call for observation from him, and that was with respect to the salary of the Governor of Windsor Castle. He was not prepared to say that this appointment should be treated as a military situation; but, whether it was so or not, he could assure the hon. Gentleman, that if this vote were now agreed to, that question should be settled before the next year. The right hon. Gentleman concluded by moving, "That a sum not exceeding 122,143*l.*, be granted to his Majesty for the Pay and Allowances of General Staff-Officers and Officers of Hospitals, serving with his Majesty's Land Forces in Great Britain and Ireland, and on foreign stations (excepting India), and of his Majesty's garrisons at the Cinque Ports, Windsor Castle, and the Tower of London, to the 1st of March, 1835."

Mr. *Hume* said, that it might appear strange for a civilian to deliver an opinion on military matters; but, however this might be, he felt justified in the course he was about to take. He must say, that he did not feel the least surprise at the answer which the right hon. Secretary had received from the Commander-in-Chief, for well he knew that no application had ever yet been made to the head of an office respecting changes, that was not met by a statement that no changes were necessary; and, for this reason, he thought that the Secretary at War should have a seat in the Cabinet, for the purpose of carrying his own views into effect. They were bound, however, notwithstanding the opinion expressed to the contrary, by the Commander-in-Chief, to carry the recommendation of the Committee of last year into practice. That some change was called for in this department, no one could deny. It was not only most unfair, but, he would add, it was decidedly unjust towards the service generally, for one set of men, no matter what their qualifications might be, to enter upon an office of this description, which ought to change hands in order to reward merit, and there remain for life. It was understood that the practice adopted in the navy should be carried into the army, and that, instead of Staff appointments being fixed for life, they should be changed every four or five years. He should like to know from the right hon. Gentleman opposite why this had not been done, and why all, whose services were equally meritorious, should not be equally eligible to those situations which were deemed most honourable, as well as most lucrative. There was also another point which he wished to notice, and that was, the fees which were exacted from officers obtaining appointments for their patents. In many cases, those fees amounted to a whole year's salary, and this, he could not help saying, was very oppressive. A comparison of the expenses of the State in 1792 and 1834, would show a very great increase at the latter period. In 1792, the total charge for Great Britain was 10,408*l.*, whereas now it was 30,000*l.* In the Adjutant-General's department, there was that officer, the Deputy Adjutant-General, and two Assistant Adjutant-Generals; making in the whole a charge of 6,000*l.* for officers who, in 1792, did not exist at all. This was the same with the Quartermaster-General; and, he wanted to know why, with two Secretaries of the Commander-in-Chief, this expense was required. If he were to be told that this was the Royal Staff, and the House had nothing to do with it, the sooner that question was decided the better. He would say, that if that House was to find the money, it ought also to have the control. He believed a large portion of this charge to be unnecessary, and he should therefore move, "That the vote be reduced 8,870*l.*" That Motion was agreeable to the recommendation of the right hon. member for Dundee, given to the Committee appointed to inquire into naval and military expenditure.

Colonel *Davies* said, that the Governor of Lower Canada received, altogether, 9,036*l.*; his allowances being kept up, besides his salary of 4,500*l.* a-year. This he thought monstrous, considering it was in an untaxed and cheap country, while the President of the United States had little more than 5,000*l.* a-year. Another case of the same kind was the Governorship of Nova Scotia. At Gibraltar, the Governor received 5,371*l.*, besides his half-pay and allowances, making altogether 6,700*l.* These sums ought all to be reduced.

Mr. *Ellice* said, that a Committee having been appointed to examine these matters up-stairs, he should not enter into them minutely upon this occasion. His gallant friend had enumerated the allowances of the noble Lord, the Governor of Quebec, which had been granted to him for other services, and had nothing whatever to do with the duties of his Government. With regard to the salary, it must be remembered that the state expected to be kept up by the Governor, made heavy demands upon his expenditure. He knew that, in the case of Sir James Kempt, who had all the large allowances now complained of, he brought not one shilling home as the produce of his office. His gallant friend must not suppose that the accustomed regulations which had been observed by Governors in our Colonies, or the habits of the people amongst whom they had been observed, were to be changed in the twinkling of an eye, at the bidding of a Committee, without producing lamentable and dangerous consequences. He contended, that as long as the present state observed by the Colonial Governors was to be kept up, the allowance of 4,000*l.* a-year was not more than was necessary to meet the expenditure. If they sent out an officer to discharge the duties of the Government with an establishment which might be lodged in two rooms, then half the salary would be sufficient. With regard to Nova Scotia, Sir Colin Campbell, who was now going out as Governor, and who was known to be a man not in the most affluent circumstances, it had been a great question with him whether to accept the appointment or not, on account of the expense. At all events, he was quite sure, that if that officer returned, after remaining out four or five years, he would not have saved a farthing. Indeed, there had been generally this year, as he was enabled to say from his own knowledge, a great difficulty in obtaining officers of reputation and distinction to fill such stations.

Sir *Henry Hardinge* concurred with the right hon. Gentleman opposite, that the subject of the present Amendment would be much fitter for discussion in the Committee up-stairs than in that House; and moreover it was to be borne in mind, that the matter had been discussed last year before a Select Committee. He contended, that, in the case of a distinguished officer like Lord Aylmer, it was too much for the House to be called upon to calculate the allowance for his distinguished services in the Peninsula, and his pension for the wounds he had received, as part of his emoluments as Governor of Quebec. It was notorious that these offices were paid so as to be a burthen rather than a profit. He would state, as an instance, that of the Governor of Barbadoes, who, on going out there, found that it was quite impossible for him, upon the pay which he received, to maintain his rank, and associate with the planters, and who, therefore, at once signified his desire to retire; begging only to be reimbursed for his outfit, which had cost him a considerable sum. He was sure it would be found, that the impolitic plan of cutting down the salaries of the military Governors in our Colonies to such a low degree would be attended with this bad consequence (than which none could be worse), that it would be impossible to get officers of distinguished merit and ability to take those governments, seeing that the pay was so extremely inadequate. He was certain he need not remind his right hon. friend opposite, that, if the public service was to be performed, the best and truest economy consisted in getting it performed by the fittest and best qualified persons. He did not quite agree with his right hon. friend (Mr. Ellice) in what he had said in his former speech, as to the Staff at head-quarters. The present amount of the Staff was barely enough to keep it efficient. It appeared to him, that his right hon. friend, in his speech, had held out the prospect that hereafter some portion of the staff might be reduced. Now, if there was a difference of opinion on that subject between his right hon. friend and the noble Lord, the Commander-in-Chief, the point was one which should be referred to the Chancellor of the Exchequer. He had been glad to hear the terms in which his right hon. friend had spoken of Sir John Macdonald; for there was not an officer in the service whose duties had been more admirably performed; but he regretted that his right hon. friend had not more distinctly stated his intention of maintaining the Staff. The duties of the Adjutant-General had been of late greatly increased; and, if he was not supplied with the necessary means, it would be impossible for him to proceed, as he had done, in carrying one important view of that House into effect,—namely, the prevention, as much as possible, of corporal punishment in the army. If the House wished that the effective discipline of the army should be maintained, while corporal punishment was done away, the Staff must be kept up. He would warn the right hon. Gentleman against reductions and ill-chosen consolidations, which tended to impair the efficiency of the army, while, in reality, no saving was effected to the public. He trusted that no reductions in the Quartermaster-General's department would be hastily adopted. As an example of the impropriety of the House suffering itself, to use an expression of Lord Ripon's (when Mr. Robinson), to be badgered into reductions without considering what would be their effect upon the service. He would state an instance of a reduction of the kind. Some Sessions ago the hon. member for Middlesex, backed by the Report of a Committee, proposed the reduction of the Inspectors of Army Clothing. The consequence was, that a predecessor of the right hon. Gentleman reduced the two Inspectors of Army Clothing. The

Committee of last Session examined one of these late Inspectors (Colonel Duffey); and it appeared from his evidence, that one effect of their inspectorship was, that the clothing for the army was greatly improved; and that gentleman stated, that he himself was employed in the discharge of his duties, while Inspector, for 300 days out of the 365. So much injury occurred for the want of those officers that, upon the evidence taken by the Committee, a unanimous recommendation was agreed to, that the Inspectors should be replaced. He was convinced, that the consolidation of the Adjutant-General's and the Quartermaster-General's departments would be most injudicious. The same officer was seldom fit for the duties of the two offices. If he took, for example, the case of Sir G. Murray, who, next to the Duke of Wellington, was the most able officer that could be found in the service to fill the office of Quartermaster-General, yet he would not be well-qualified to preside over the other department, from his want of acquaintance with details. The very capacity and powers of mind which enabled men to take large views, and direct the general operations of armies, would frequently disqualify them from such duties as fell to the department of the Adjutant-General. Indeed, this plan of consolidating the two departments was tried twenty years ago, and failed. The great object, it was obvious, should be to maintain in time of peace that system in the army which had been, by experience, found to work best in war. Carry reduction as low in each department as the efficiency of it would permit, but maintain them all, so that they might be ready to be brought into operation the moment a war broke out. He would repeat, that he did not object to the principle of reducing them to the lowest amount which a due regard to the service would permit; but he would say, that they should keep such numbers in each individual department that they might be prepared, upon an emergency, to be put at once into an efficient state. Under such circumstances, he thought it would be impossible to reduce either of those offices. The hon. member for Middlesex had said, that it was the desire of the Government to reduce the Staff, but that it was evident, that the Royal dictation prevented them from doing so. That hon. Member was perfectly wrong in that impression. His (Sir H. Hardinge's) right hon. friend opposite, the Secretary at War, quite agreed with him, that the officers of the King's Staff should be maintained. It should be the duty of that House not to get itself into the dilemma of bringing the Secretary at War and the Commander-in-Chief into collision upon any such point. It was stated, in the evidence given by Lord F. Somerset, before the Committee of last Session, that the Commander-in-Chief was always most ready to meet the views of the House with regard to reduction, whenever they did not appear to him incompatible with the efficiency of the army. But there were cases in which the accumulation of duties beyond the means of discharging them had produced the worst results. Sir George Bingham, who recently died, while in a command in the south of Ireland, declared, on his death-bed, that he believed the excessive duties imposed upon him had hastened his end. It was also well known, that many officers had refused appointments of a similar kind upon such grounds; and he, therefore, thought the service was not in a state to call for the consolidation of departments, and giving additional labour to individuals. His right hon. friend had stated, that the governorship of Windsor Castle would hereafter be taken out of the Estimates. He had no objection to that, provided it was understood, that the King's prerogative was maintained as before. It was true there was no military duty to perform at Windsor; but it was one of those offices of honour and distinction that should be maintained as rewards for those who had gallantly served their country. He had the honour of serving with the noble Lord, the present Governor of Windsor Castle (Earl of Munster). That noble Lord was twenty-seven years in the army: he had served in India: he had served in the Peninsula, where he had been wounded: he was in twelve general actions: and had had, on different occasions, four horses shot under him. He must say, that he should be better pleased to see the Governorship of Windsor Castle retained in the Estimates, as it was a military tenure. He did not understand how the other military governments were to be kept up, if that one was to be taken out of these Estimates. The military governments of the Army in 1833 amounted to 30,000*l.* a-year, to be distributed amongst the many distinguished field-officers and generals of the army. In 1792, and, indeed, more than half a century ago, when our army did not amount to half what it was at present, those military governments amounted to upwards of 30,000*l.* a-year. In 1833, that House, going with what seemed to be the feeling out of doors, reduced those governments from 30,000*l.* a-year, which they were in 1792, before our last long war, to 18,000*l.* a-year. Was such a proceeding fair or just towards the army? That army had been in the mean time doubled. There was a great number of distinguished officers who had performed services well deserving such small recompense; and yet the amount of the pay for those offices, which had been always regarded by military men as much for the honour which they conferred as for the emoluments derived from them, had been reduced, as he had said already, from 30,000*l.* to 18,000*l.* a-year. For himself he would say, that, with the rewards of these posts of honour so reduced, and upon such grounds, he would not be contaminated with receiving any part of it. The honour had been the principal consideration with officers accepting the appointments, and while that was understood, they were satisfied. Thus, General Don, though a most distinguished officer, was satisfied to receive, as Military Governor of Gibraltar, a shilling a-day, the honour being one of the highest that could be conferred. The pay of the army was the same; the Staff was the same as at the time of the battles of Minden and Blenheim; the regiments were the same that they were thirty years ago; and he therefore hoped that, in justice to an army which had served the country so bravely and so gallantly, the House and the Government would take an opportunity to place the emoluments of those governments upon the same footing that they were in 1792. If they embraced such a resolution, he was convinced that there was a growing feeling in the House which would support them in restoring this part of the King's prerogative.

Lord *Ebrington* said, that it certainly appeared, from the evidence given before the Committee last Session, that the reductions respecting the Staff at head-quarters had been already carried too far. That was the purport of all the evidence given before the Committee, with the exception of that of the right hon. member for Dundee, who did not convince the Committee. He knew that those officers who received the reduced allowances of the military governments, so far from being contaminated thereby, ought to be far more satisfied that they had been granted under the circumstances they were, than in receiving them from the Government, as they were formerly conferred not always as the reward of services. He defended the recommendations of the Committee as to the colonial appointments, and read from the evidence taken before it the opinions of Sir John Hobhouse as to the reductions of the Staff. Those opinions were directly opposed to the reductions; and the right hon. Baronet was not the man to shrink from his opinions when they were formed. With respect to the government of Windsor Castle, he was extremely glad to hear, that it was to be taken out of those Estimates, otherwise he should have felt it his duty to vote for the reduction of that office. When that office came before the Committee last year, it was stated, that it was not so much a military office as one appertaining to the estate of the King. The gallant Officer opposite had justly eulogized the military services of the noble Lord who at present filled that office; but his immediate predecessor, and several of those who had gone before, had no such claims to its possession. In fact, it was always understood, that it was an office to be conferred, as it ought to be, on some personal friend of the King.

Sir *Rufane Donkin* was understood to say, with respect to military governments, that they were prized more for the honour which they conferred than for the profit derived from them. He would himself rather receive 100*l.* from an office of that description, than 300*l.* a-year in another way. They should take example from France, where the influence of such honourable appointments in stimulating the spirit and maintaining the gallantry of the officers of the army was duly and wisely estimated. In France, at this present moment, the military governments, analogous to those now under discussion, and which were kept up as rewards for military services, cost that country 365,000*l.* a-year, while grateful England voted, and grumbled at that, only 18,000*l.* a-year!

Sir *Henry Parnell* said, that the noble

Lord, the member for Devon, had stated, that the Committee on army appointments last Session had differed from him (Sir H. Parnell) as to the reductions which he proposed in the army. Now, if that were the case, how did it happen that the Committee had, in their Report, recommended those reductions to the consideration of the House? To the evidence which he then gave, and the reductions which he then proposed, he still adhered. He did not think, that this was a matter on which the opinion of a military man should outweigh that of any other individual. Upon a subject purely military, no one could be more ready than he was to defer to the judgment and opinion of gallant officers; but, in the present instance, a great portion of the Estimates under consideration was of a civil and official, and not purely of a military nature. In the Estimate for the Horse-Guards, it would be seen, that there were various items not at all military, such as clerks, office-keepers, &c., forage for horses, sixteen horses for the Commander-in-Chief, &c. Now, there were none of these items upon which any Member of that House might not, as correctly as the gallant Officer opposite, form an opinion, and be enabled to say, whether they were fit and proper to be maintained. He would repeat, that his noble friend, the member for Devon, was not borne out in saying, that the Committee of last Session did not concur with him (Sir H. Parnell). In their Report they referred to his evidence, and a recommendation for the reduction of this Estimate was contained in the Report, founded upon his evidence. If they had disapproved of his evidence, why should they have acted upon it in their Report? He was not going to dispute the fact, that a great deal of business was transacted at the Horse-Guards. He believed a great deal of business was done there; but the question was, whether it did not cost too much. Why should they have six general officers doing business there, which might be done as effectively, and with a great saving to the country, by officers of a lower degree? Any hon. Gentleman, on looking to his (Sir H. Parnell's) evidence, would see that it was in this way he had proposed to effect the reductions in this Estimate—namely, by supplying the places of those general officers by officers of a lesser rank, and at a much smaller pay. It was, in fact, in that way, that the greater portion of the 28,000*l.* per annum which the Horse-Guards cost, went. He did not propose to reduce a single clerk of the whole establishment, the expenditure for which amounted to 7,000*l.* per annum. The fact was, that by the mode he had proposed, while a considerable reduction would be effected, the efficiency of this department would not, in the slightest degree, be impaired. He did not wish to disparage the merits of the Adjutant-General or the Quartermaster-General, but he thought that a consolidation of those offices was absolutely necessary. The business of the office of Quartermaster-General was not of such an important character as to render the maintenance of that distinct office necessary. If its consolidation took place, he, for one, did not see how any difficulty would arise in providing a Quartermaster-General for an army in service. He was sure, that if the House should vote a reduction of 8,000*l.* on this Estimate, the department might still be maintained, in every respect, in an efficient state.

Mr. *Ellice* said, that after what had fallen from his right hon. friend, the member for Dundee, it was necessary for him to say a few words, in order that the House might exactly see what they were called upon to do by the hon. member for Middlesex. The present Estimate for officers at head quarters amounted to 13,117*l.*; and the right hon. Baronet concurred in the reduction which the hon. member for Middlesex proposed in that Estimate to the amount of 8,000*l.* He would ask any hon. Member, if 8,000*l.* a-year should be deducted from that amount, how was it possible the service could be carried on? For his part, he could not reconcile such a reduction with the maintenance of the efficiency of the department. His right hon. friend had stated, that it could be done, but he had not given his reasons and grounds for adopting that opinion. He recollected well, that before the Committee up-stairs his right hon. friend had proposed many similar reductions; but then, as now, he had not given his reasons or data for the statements which he put forward. It was very easy to propose a sweeping reduction of this sort; but when they came to press the matter upon the department really responsible for the transaction of business, they would find that objections like those in the letter of the Commander-in-Chief, to which he had referred that evening, would be stated to the proposition.

He was, of course, anxious to do his duty to the House and to the country, but, of course, in matters of this kind, he must be, in a great degree, guided by the opinion of Lord Hill. It would be vain and presumptuous for him to put his opinion in opposition to that of Lord Hill. He had, therefore, no choice left but to adopt his opinion, and to lay before the House the Estimates which had been submitted. So far as he could, he had pressed the subject of due economy upon the Commander-in-Chief; and, with this explanation, he would entreat the Committee to consent to the vote which had been proposed, convinced as he was, that its reduction would injure the efficiency of the service, and would ultimately, therefore, cause a great expenditure in the military department. He felt satisfied, that the safest and most satisfactory way to economize, was to leave the matter in his hands, to make such arrangements with the Commander-in-Chief as he could, who, he must also say, was disposed (and he spoke from what he had seen and done) to do all in his power to economise, while he preserved the efficiency of the service.

Sir *John Byng* expressed his concurrence in the observations which had fallen from the right hon. the Secretary at War. He (Sir John Byng) knew enough of the noble Lord, the Commander-in-Chief, who possessed much good sense and right feeling, to be satisfied, that if any reduction could be made, consistent with the interests of the nation and the efficiency of the service, that noble Lord would make them; and such reduction would be better effected by the noble Lord and the right hon. the Secretary at War, than by any resolution which might originate in the House.

Mr. *Cutlar Fergusson* observed, that the spirit of economy which was manifested in the Estimates now under consideration was such as to induce him to vote for the Motion of the right hon. Secretary at War. He could not but add, in consequence of what been observed in the course of the present discussion, that the Earl of Munster had not only served, but had sought actual service up to the period when the restoration of peace closed all chances of active employment.

The Committee divided on Mr. Hume's Amendment: Ayes 59; Noes 243—Majority 184.

Original Resolution agreed to.

List of the AYES.

ENGLAND.
Aglionby, H. A.
Baines, E.
Bowes, J.
Briscoe, J.
Brocklehurst, J.
Brotherton, J.
Bulwer, H. L.
Clay, W.
Cobbett, W.
Ellis, W.
Evans, Col.
Ewart, W.
Fielden, J.
Gaskell, D.
Grote, G.
Guest, J.
Hall, B.
Hutt, W.
Ingilby, Sir W.
Lister, C.
Lloyd, J. H.
Parrott, J.
Philips, M.
Potter, R.
Rippon, C.
Roebuck, J. A.
Romilly, J.
Stavely, J. K.
Strutt, E.
Talmash, C. G.
Thicknesse, R.
Todd, R.
Turner, W.
Watkins, J. L.
Whalley, Sir S.
Wilks, J.
Williams, Col.
Wood, Ald.
Young, G. F.

SCOTLAND.
Gillon, W. D.
Maxwell, J.
Murray, J. L.
Oliphant, L.
Oswald, J.
Parnell, Rt. hon. Sir H.

IRELAND.
Blake, M.
Evans, G.
Fitzgerald, T.
Fitzsimon, C.
Lalor, P.
O'Connell, D.
O'Connell, J.
O'Connell, Maurice
O'Connell, Morgan
O'Connor, F.
O'Dwyer, A. C.
O'Reilly, W.
Roche, W.
Sullivan, R.

TELLER.
Hume, J.

Mr. *O'Connell* moved, that the Chairman should report progress, and ask leave to sit again.

Lord *Althorp* hoped hon. Members would not object to proceed until twelve o'clock, and, at this hour, he trusted the hon. and learned Gentleman would not hesitate to withdraw his Motion.

Mr. *O'Connell* said, he was one of those who thought it was high time to make a stand in order to compel such an arrangement as would enable that House to get through the business of the nation during the day. He did not stand alone on this point; indeed, so long as he had done so, he did not venture to persevere; but he was now supported by fifteen or twenty hon. Members, who were ready, in their turn, to follow up his proposition, if he was defeated. All he wanted was, that some reasonable arrangement should be made with reference to the disposal of the public business, and especially that no vote of the public money should be gone into after ten o'clock at night.

Lord *Althorp* thought the hon. and learned Member would agree with him, that the majority of the House were the most competent judges as to the fitting and proper time for the transaction of public business. It was, he admitted, a fair question to be mooted, whether or not the House would take such questions during the morning sittings; but for the hon. and learned Gentleman now to take advantage of his privilege, and to move the adjournment of the question, would not answer the end for which such a course was intended.

Mr. *Cobbett* said, that if the noble Lord and those hon. Members who usually sat upon the Treasury bench would refrain from voting upon the present occasion, he should be quite content to abide and be bound by the decision of the majority of the House.

Mr. *O'Connell* was equally willing to abide by the decision of such hon. Members as attended the House as continually and regularly as he himself did, but he would not be bound by such a majority as Ministers could muster to get through such important business at so late an hour.

Mr. *Cutlar Fergusson* concurred in the opinion which had been so frequently expressed as to the inconvenience arising from the late hours to which the sittings of the House were protracted; but he also was of opinion, that the remedy for this inconvenience would not be afforded by dividing the House in the manner which had been proposed. He was anxious that some arrangement should be made to obviate the inconvenience (not to use a harsher term) of business of the greatest importance to the nation being transacted after midnight; but as the Motion of the hon. and learned member for Dublin would not effect that desirable object, he hoped the hon. and learned Member would withdraw it.

The Committee divided on Mr. O'Connell's Motion: Ayes 25; Noes 234—Majority 209.

Mr. *Ellice* moved, that there should "be granted to His Majesty a sum not exceeding 90,313*l.* 4*s.* 5*d.*, to defray the charges of allowances to officers in the several departments, for conducting the affairs of the army in England and Ireland."

Mr. *Guest* moved, as an Amendment, that the Chairman do report progress.

The Committee again divided on the Amendment: Ayes 17; Noes 199—Majority 182.

Mr. *Hume* said, it was absurd to keep up a department which was perfectly useless, at an expense of 90,000*l.* a-year. The Pay-office was actually an impediment to public business. He should, therefore, propose that, one-half of that establishment should be reduced this, and the other half next year; and, in order to effect this object, he would move the vote proposed be reduced by 9,065*l.*

The *Chairman*, accordingly, put the Amendment, that 81,248*l.* 4*s.* 5*d.* instead of 90,313*l.* 4*s.* 5*d.*, be granted to his Majesty.

Lord *John Russell* had admitted last year, that it would be advantageous to consolidate the departments connected with the army, if it could be done with safety. He thought, however, that the Pay-office ought to be distinct from the office which gave order for the payment to be made. The hon. Member (Mr. Hume) might speak of former times and former years; but there was nothing then of the regularity or certainty which was attained at present. On the contrary, in the year 1797, for instance, no person who had held the office of Accountant-General was able to obtain a settlement of his accounts for several years after his retirement from office.

Mr. *Hume* contended, that there was not an account which might not be paid by the Treasury instead of the Pay-office. He was sure that there were no two accountants in England who would not say that a more incongruous and roundabout way of settling the public accounts could not be invented.

Mr. *Ellice* was most anxious to effect every possible economy in the management of the public accounts. Arrangements for simplifying them were in progress; but it was impossible to effect all kinds of changes and improvements on a sudden. He felt bound to state this, and as the Government had some measures for an extensive plan of consolidation in contemplation, he hoped the hon. Member would not give the House the trouble of dividing on the question.

Mr. *Cobbett* saw much business done by army agents; at least, there was a charge of 26,000*l.* for services done by them. He dared say the House would grant the money without any hesitation. This money was to be paid the army agents for doing the work of the army Paymaster and his clerks, who really did almost nothing.

Vote agreed to.

Mr. *Ellice* moved, "That a sum not exceeding 6,977*l.* 8*s.* 3*d.* should be granted for the maintenance of the Royal Military Asylum, from the 1st of April, 1834, to the 31st of March, 1835."

The Vote was agreed to. House resumed.

HOUSE OF LORDS,

Tuesday, March 4, 1834.

Minutes.] Bills. Read a third time:—Exchequer Bills' Transfer of Aids.

Petitions presented. By the Earls of Eldon, and Carlisle, from three Places, for Protection to the Established Church.—By the Duke of Hamilton, from two Places, for an Alteration in the System of Church Patronage in Scotland.—By the Duke of Richmond, from Farnham, and from Send and Ripley, for the Continuance and Extension of the Labour Rate Act.—By the Earl of Durham, from a Number of Places, for Relief to the Dissenters; and from the Hand Loom Weavers of Sanquhar, for a Board of Trade and for Relief.

London University.] The Earl of *Durham* presented a petition from certain Protestant Dissenters, meeting at Frome, in Somersetshire, praying that the grievances under which they now laboured might be removed with all convenient speed. There was one point in this petition to which he wished to call the particular attention of his noble and learned friend, because it related to an institution with the formation of which his noble and learned friend was intimately connected, and in the prosperity of which he must take a deep interest. The petitioners complained that they were excluded, under the present system, from the public schools, and from the Universities of Cambridge and Oxford; and at the London University, the only one to which they had free access, they could not obtain degrees, because that body was without a charter. If there was one part of the life of his noble and learned friend which more than any other was the admiration of his fellow countrymen, it was that which had been devoted to the cause of public education. He was sure, therefore, that there must be some cause which the noble and learned Lord's influence could not prevent, which disabled the Government from granting this Charter. He called the noble and learned Lord's attention to the circumstance, as he believed it was the first time that it had been referred to in a petition.

The *Lord Chancellor* said, that his noble friend did not do him more than justice in supposing that there was no person more anxious than he for the prosperity of an institution in which he had taken a humble, but certainly an early and a zealous interest. That difficulties had arisen in granting the Charter there could be no doubt. It was perfectly well known that the other Universities—the ancient Universities—had entered a protest against granting a Charter to this new body. The consequence of this protest, in the nature of a *caveat*, was, that before the Charter could be granted, it was necessary that the parties should be heard before the Privy Council. If no objection should there be made, if those already made should be recalled, or if no means were taken to press them, the Charter might be granted; but if the objections were persevered in, the matter would take the accustomed course, and be heard in the place to which he had alluded. He was glad that his noble friend had given him the opportunity of stating this, which he thought he was at liberty to do without impropriety. He was the more glad of it, because he had been told that the most unaccountable reports had got abroad, that he had relaxed in his desire to obtain a charter for the London University. There never was a report more entirely groundless, although, groundless as it was, it was not falser than others.

The Earl of *Durham* expressed his hope, that the objections alluded to by the noble and learned Lord would be removed, or that, in spite of them, that favour would be granted which the spirit of the times and the wishes of the noble and learned Lord seemed equally to favour.

Petition to lie on the Table.

Corporation Reform.] The Earl of *Durham* said, that there was another subject to which he wished to call the attention of his noble and learned friend. He held in his hand a Petition from the Council of the Birmingham Political Union, which related to the measure of Corporation Reform. The petitioners took several objections to that measure. They objected to the right of electing Common Councilmen being limited to 10*l.* householders; which, they said, would have the effect of limiting the franchise to one-fifth of the inhabitants of Birmingham. They made several other objections, in all of which he did not concur with them, and especially in that in which they spoke of the administration of justice in the borough being committed to the hands of the Aldermen. The administration of municipal affairs might be committed to them, but not the administration of justice; for, at least, so far as his experience in his own part of the country went, the persons likely to be in that situation were not likely, either by inclination or habit, to fit themselves for the performance of such a duty.

The *Lord Chancellor* observed, that undoubtedly the subjects to which his noble friend had referred, were of the utmost importance, but they were not unattended with considerable difficulties. The measure which was brought forward last year had been framed after receiving the greatest possible attention, and was submitted to the House after having undergone a severe scrutiny. There were one or two matters which he (the Lord Chancellor) had then stated might receive a re-consideration, particularly as to the choice of Aldermen being for life or for years, and as to the appointment of a Recorder. There was one great difficulty in the way of choosing the Aldermen for years instead of for life; and that would be got rid of, if the Aldermen were not to be intrusted with judicial functions. It was thought that it was inexpedient that persons intrusted with judicial functions should be appointed to their places by popular election. At the same time, it was considered difficult to say, that these Aldermen should be appointed as Aldermen in other corporations, and yet deprived of the right to exercise those functions that were intrusted to other Aldermen. Another difficulty was in the choice of the Recorder, who would have to perform judicial functions — a circumstance which would form a strong objection to his being the subject of a popular election. The noble and learned Lord, the late Chief Justice of the Court of Common Pleas, had suggested that the Recorder should be elected by those who had themselves been elected by the people—namely, by the Court of Aldermen. This was a matter that might be further considered. He had had a great deal of correspondence during the recess with various quarters, and with different classes of persons who belonged to the new boroughs, and the effect of that had been to make him pause in introducing the measure without one or two modifications. With respect to the main object of this petition —namely, the extension of the elective franchise in the new boroughs—that also was a subject that deserved considerable attention. There was a great inducement to keep to the limit already laid down, because the whole machinery of determining the right of election was now in existence under the Reform Bill, and the extent of the elective franchise for corporate officers had been, in the case of Scotland, advantageously placed on the same footing as that for Representatives in Parliament. However, this, with other parts of the measure, might be the subject of consideration.

Petition to lie on the Table.

HOUSE OF COMMONS,

Tuesday, *March* 4, 1834.

MINUTES.] Bill. Read a first time:—Sugar Duties.

Petitions presented. By Sir JAMES GRAHAM, from several Places, for Amending the Poor Laws.—By Messrs. CHILDERS, TAYLEURE, and BAINES, and Lords MOLYNEUX, and JOHN RUSSELL, from a Number of Places, for Relief to the Dissenters.—By Mr. C. FITZSIMON, from two Places, for the Repeal of the Union.—By Mr. DOBBIN, and Mr. FITZSIMON, from several Places, for the Abolition of Tithes.—By Mr. Alderman THOMPSON, from the Members of the Medical Profession of Sunderland, &c., for Inquiry into the State of Medical Corporations.

COMMUTATION OF TITHES—DEVONSHIRE PETITION.] Lord *Ebrington* rose for the purpose of presenting a petition which had been intrusted to him from the owners and occupiers of land and other inhabitants, paying tithes, of both divisions of the county of Devon, and which had been agreed to at a public meeting of the county, most respectably and largely attended. The petitioners stated, that they had presumed to address the House of Commons, in consequence of understanding it to be the intention of his Majesty's Ministers to introduce a Bill during the present Session of Parliament, for effecting certain changes in the existing Tithe-laws. They complained that the demand for the tenth part of the gross produce of the land, by those who contributed nothing towards its production was at variance with the dictates of reason and the principles of justice, and most oppressively grievous, when, as frequently happened, the value of the whole crop did not equal the expense of raising it. They, therefore, prayed, that the subject of tithes might be taken into the serious consideration of the House, and that they might be permanently commuted, on the basis of supposing the tithe-owner the tenth-part proprietor of the soil; but, anxiously as they desired a change in the existing Tithe-laws, oppressive and unjust as they considered them, they would nevertheless prefer their continuance, to the enactment of any other measure that would have the effect of exempting the holders of tithe-property from bearing their just portion of all parochial and other assessments, thereby severing their interests from those of the rest of the community. He could not avoid saying, that the petition had been agreed to by an overwhelming majority of the thousands who composed the meeting; and the sentiments it contained were, he believed, the sentiments of a numerical majority of the owners and occupiers of land paying tithe in the county;—he said numerically, because a small portion of the great landed proprietors in the county had attended the meeting, and, of that class, he might say, a majority was opposed to the prayer of the petition. The painful duty devolved upon him of expressing an opinion differing from that entertained by so large a portion of his constituents, and that pain was increased by the consideration that the individuals from whom he differed on the present occasion were those to whom he mainly owed the honour conferred on him of representing the county in Parliament. It was, at the same time, satisfactory to his own feelings to know that his opinions had never been disguised from them on that subject. From the moment he had become a Member of the House, representing that constituency, he had been an advocate for a fair commutation, because he thought that an equitable commutation of tithe would be equally beneficial to the proprietor of tithes and the occupier of the land. He was of opinion, that, had an equitable commutation been effected many years ago, much of the difficulty and discontent which attended the settlement of the question would have been avoided. At the same time he could not admit, that the principle prayed for in the petition, that the tithes be commuted for one-tenth of the rent, was a fair one upon which they could regulate the commutation. Without trespassing further upon the attention of the House, he would move, that the petition be read.

The Petition was read at length.

Lord *John Russell*, as a member for the southern division of the county of Devon, and from having been requested to support the prayer of the petition, begged to intrude for a few moments upon the attention of the House. He agreed with his noble friend who presented the petition, as to the general feeling among the yeomanry of Devonshire, from whom the petition emanated, which was signed by upwards of 9,000 persons. He had great pleasure likewise in agreeing with their opinion, that tithe, in itself, was both unreasonable and unjust. There could be nothing more unjust, or more impolitic, than a law which tended to discourage the cultivation of the soil, which it ought to be the policy of all good government to promote. Nothing could be more impolitic than to interfere with the skill and capital of those desirous of improving the land, and taking from those persons a great portion, if not all, the due returns of their skill and capital, thus depriving them of all motives for making improvements. He considered, therefore, tithes in themselves, as properly the institution of a barbarous age; and his only wonder was, that it was left to these days to provide a remedy for this great and oppressive evil. He believed that the most perfect integrity, and a sense of fair dealing towards the clergy, animated these petitioners; and though he had the misfortune not to agree with them in the conclusion to which they had come, he believed, in drawing that conclusion, they meant to do full justice to the clergy and the tithe-owners. They had been led into what he considered an error, he believed, by the attempt made to place the property of the Church on too high a ground, and considering it as if it were private property. In his opinion, Church property was intended to be enjoyed and used for the public good. But, having heard this assumption put forward, and having heard it said, that Church proprietors were the same as other proprietors of the soil, the Devonshire yeomanry were doing what was not unnatural for those to do who considered Church property like other property. They thought, that, while claiming only a part, the Church took the whole profit; but if the profit were large, they took a tenth of that large profit, and if the profit were small, they only took a tenth of that small or inconsiderable profit. This reasoning was not unnatural, and upon this they proposed a plan of commutation. At this point, he (Lord John Russell) was compelled to differ from the petitioners, and he did so with great pain, because he knew them to be honest and excellent men. He did not think, as the clergy were legally entitled to a tenth of the produce, that this would be fairly commuted by giving them a tenth of the rent. It was said by the hon. member for Liskeard, who, less than any other man, followed the popular opinion, that the rent of the land in Devonshire, was a third of the value of the produce, therefore, what the petitioners asked was, that the legal right of the clergy to the tenth of the produce, should be commuted to the tenth of a third, or to a thirtieth of the produce. He must say, having considered the subject both last year and the present, and wishing, as he did, to see a fair commutation, that he did not think an exchange for a tenth of the rent would be a fair commutation. He would only say again, that he participated with his noble friend (Lord Ebrington) in his regret at differing from the petitioners. He, however, did not find in the other counties of England that the farmers saw the subject in the same light; they did not come forward in those other counties; and, as they had manifestly an interest in so doing, he must conclude that the general opinion of the people of England was, that the proposal of the Devonshire yeomanry would not be a fair commutation.

Mr. *Bulteel* declared his decided dissent from the proposition contained in the petition, and, in doing so, he concurred, he knew, with a vast majority of the inhabitants of the county from whence the petition emanated. In adopting this course, he begged it to be understood that he was not arraying himself against the general tenets expressed in the petition; but he firmly believed the great majority of the county were opposed to the plan laid down for a commutation. At the same time the whole county entertained a conviction that the grievances complained of must be removed, and they looked to the Government for some perfect and decided remedial measure. He congratulated the House upon the sentiments which had fallen from his noble friend (Lord John Russell), from which it was to be anticipated that some measure would be proposed by his Majesty's Government upon the subject, and he hoped that it might settle the point for ever, and remove all disputes between the farmer and the clergyman. He hoped, that all tithes on productive industry would be done away, and the farmer enabled to improve his farm without being haunted by an apprehension of the clergyman.

Sir *William Chaytor*, in supporting the prayer of the petition, stated, that he did so being a tithe-owner himself, for he was ready and willing to give them up.

Mr. *Feargus O'Connor* observed, that Ministers had repeatedly stated what they would do; but he would ask, in the face of the assertion, what had they done? Why they had admitted the right of the clergy to tithes, at the same time admitting that they had no right to collect them under that denomination. He was happy to see that petition, and to the principles it expressed he gave his most cordial support.

Mr. *Parrott* begged leave to put the House in possession of the principle upon which the petitioners asked for the commutation, which had not yet been touched upon. Before he did so, he would notice a few of the observations which had fallen from the noble Viscount (Ebrington) opposite. The noble Viscount said, that the petition was not supported by the great landed proprietors of the county. There was no doubt that the petition was not signed by the great body of the great landed proprietors; but, on looking at the signatures in the very first page, he found those of nine Magistrates of the county; so, that though the great body did not support the petition, it was clear that a considerable portion of them were not averse from it; and, besides those names, there were many others that he recognized as being those of most respectable landowners. Without in any manner intending to speak harshly of the great proprietors of land, he thought he could easily point out one very good reason why their signatures were not attached to the petition. They were almost the only class who were the proprietors of tithes, which properly belonged to the Church; and, of course, were quite contented with the system as it at present existed. He believed there was very little doubt, but that a strong feeling existed against that system in Devonshire. He also believed, that the same feeling prevailed in other counties—in fact, there was an almost universal feeling throughout the country against the payment of tithes in kind—and every one now claimed exemption from that payment. But if the tithe-owners were to be paid in money to the full value of the tenth of the produce of the soil, how could there be any redress of grievances? In place of a redress of the grievances, it would be an aggravation of them. If such were to be the measure passed by the House, the tithe-owner would have the whole profit of the land. The prayer of the petition did not seem to be understood. What the petitioners stated was, that, seeing the great difficulty of the tithe question, they came forward in a constitutional manner to point the way in which they thought it might be, and ought to be settled. With regard to what they prayed for, he believed there was some misconception. What they prayed for was this—that the land should be valued as free from tithes, rates, and taxes, and that a tenth should then be taken and set apart for the support of the Church; that tenth also to be liable to rates and taxes the same as the other nine-tenths. The present rent, which was a portion of the nett profit paid for the occupation, might be high or low, but the value of the land as he had described it, was independent of such a bargain. At present the average rate of composition for tithes in Devonshire was 2*s*. 6*d*. in the pound; and he believed that the tenth estimated in the way he had described, would amount to a greater sum than the composition. The petitioners did not ask to have tithes valued at one-tenth of the present rent, but at one-tenth of the real value. The petitioners prayed that there should be no commutation of tithes until such a valuation was taken of the land, otherwise the tithe-owners would be doubly taxed. The misconception which existed would be removed by impressing on the House, that it was the desire of the petitioners to have the land valued free of all taxes, and one-tenth then reserved for the tithe-owners, and the other nine-tenths given to the occupiers. This was a simple statement, and would set the matter at rest. He (Mr. Parrott) could not help reverting to the original state of tithes, while on that subject. When a tenth part of the land was first appropriated to the Church, it was in a state of nature—quite uncultivated. The tithes were not then oppressive. They were devoted to four different purposes—the maintenance of the clergy, the support of the Bishops, to the necessaries of the Church service, and the relief of the poor. Subsequently, they were used for only three different purposes. When they passed into the hands of the Protestants, they were wholly given up to one purpose. Thus they became a burthen on, and attracted the odium of, the people. It was impossible for him (Mr. Parrott) not to revert to that topic when they were speaking of tithes. Under all the circumstances, he considered the demands of the petitioners to be most reasonable; they praying from his Majesty's Ministers no commutation of tithes, but, in a manner least favourable to themselves, and quite compatible with the subsequent arrangement, for a fair adjustment. They had been most submissive to the law; they did nothing but struggle against a great grievance, and in a constitutional manner. They expected from his Majesty's Ministers that the Reform Bill would be productive of great benefit. The first and paramount object they considered to be, the getting rid of tithes. What was the use of the Reform Bill, unless it led to such alterations as would remove that greatest of all grievances? He concurred fully in the prayer of the petition, and should not have done his duty if he had not supported it with all his power. He would beg to direct the attention of Government to one point. The present was a golden opportunity to attach a large body of the people to them. If it was thrown away, it might not be easy again to find such another. There was not a single measure which could attract and fix the affections of the people so soon and so firmly, as that act of justice which would relieve them from the pressing grievance of tithes.

Colonel *Seale* said, that representing a borough in Devonshire, he had been requested to support the prayer of the petition, and he begged to express his entire concurrence in its prayer. He agreed with the noble Lord who had presented the petition in most of the sentiments he had expressed, and he gave the noble Lord credit for the fairness with which he had stated the manner in which it had been got up. He could bear testimony to the respectability and wealth of the persons who had attended the meeting; at the same time, he must say, that the noble Lord could scarcely have assumed, although he had done so from a feeling of candour, that the great landed proprietors were adverse to its prayer. If they were, why had they not come forward and expressed their disapprobation? They had a fair opportunity of doing so. He dissented from the opinion expressed by the hon. member for Devon (Mr. Bulteel), that the great landed proprietors were opposed to the prayer of that petition, and he would put it to the test in this way. He would ask his hon. friend, whether he could get up a petition of an adverse nature? If he could procure 20,000 or 30,000 signatures in that county to a petition of an adverse nature, let him produce them. He had heard the expression "spoliation" applied to the valuation called for by this petition, viz. that the tithe-owners should be one-tenth proprietors of the soil, but he believed such a charge was unfounded. For the last twenty years the maximum of valuation was 2*s.* 6*d.* in the pound, and only nine years since, an observation was made that the highest amount that could be claimed by the tithe-owners was from 3*s.* to 3*s.* 3*d.* in the pound; therefore, the charge of spoliation was as applicable to one side as the other. Another charge was brought against the landlords, viz. that the occupiers of the soil were not so much interested in that question as the landlords, who would derive all the benefit from the commutation of tithes, and put the profits into their own pockets. It was very true that where one farm was tithe-free and another paid tithes, the one that was free paid a higher rent in proportion to the amount of the tithe, and if tithes were swept away from the land, rent would be one-third higher in the market. The noble Lord (Lord Althorp) had stated it was his intention to bring in a measure at an early period, which would be consistent with the wishes of the country, and he hoped that such would be the case. He cautioned the noble Lord, however, not to bring in any half measure, for it would meet with general disapprobation. He gave his most decided support to the prayer of the petition.

Mr. *Wilbraham* was willing to concur in any measure for the relief of the agricultural interest, but at the same time he must protest against any particular county dictating to the rest of the country. As to the exact mode of commuting tithes, that mode which might suit the county of Devon might be unjust to the rest of the country. It should be left to the wisdom of that Parliament in which the people were fairly represented, and in which (as far as regarded the other House) the clergy were also represented. Although he agreed in the general allegations of the petition, he protested against a particular mode of redress laid down by one class of persons.

Mr. *Divett* having been present at the meeting at which the petition was agreed to, and having been in the minority on that occasion, was anxious to state his reasons why he dissented from the petitioners. He fully agreed with his noble friends as to the high respectability of the petitioners, but he must say, that most of the persons who assembled at the meeting came there with strong opinions previously formed. The petitioners thought that, from the plan which had been proposed by the Government, the farmers would derive no benefit; but he thought they would derive great benefit, for this reason, that in Devonshire there was a great number of small occupiers and leaseholders, and, therefore, they would be greatly benefitted during the continuance of their holdings. It was true that tithes originated in barbarous times, and he attributed their continuance so long to the moderation with which they had been enforced. They had also been greatly extended during the war, when the high prices existed, and they had not been decreased in proportion to the decrease in the prices. He trusted, however, that the measure of the Government would be productive of much good, and that a clause would be introduced for the redemption of tithes. He knew it was of great importance that all the bickerings and heart-burnings between the clergy and the people should be speedily removed. As to the dictation spoken of by the hon. Member who preceded him, he denied that anything of that kind prevailed at the meeting at which the petition was agreed to. He knew that the feeling against tithes was stronger in Devonshire than in most other counties; and he should like to see the question settled so as to remove all the existing ill-feeling upon the subject.

Mr. *O'Connell* said, he had a few words to address to the House in consequence of some observations made by the noble Lord opposite (Lord John Russell), both in that House and at a public meeting in Devonshire. The noble Lord, at that meeting—[Lord *John Russell,* I did not attend the meeting]. No matter; at some other meeting. Then the noble Lord was reported in the public papers to have condescended to notice so humble an individual as himself, and also to have attributed to him (Mr. O'Connell) a wish not only to abolish tithes, but that he would support a Motion for restoring tithes to their original owner—[" *No, no,*" from Lord John Russell]. It was so stated in the newspapers.

Lord *John Russell* said, he did not know what was attributed to him in the public papers, but he was glad to have that opportunity of stating that he did not think that he had said anything resembling what the hon. and learned Member alluded to. The only thing that occurred to him that he (Lord John Russell) did say was, that at some meeting, speaking of abbeys and nunneries, he expressed a supposition that nobody except the hon. and learned member for Dublin wished to see them restored. He said this in consequence of that hon. and learned Member having been represented at some meeting at Kildare to have lamented pathetically over the ruins of the nunneries of that part of Ireland.

Mr. *O'Connell* said, that the noble Lord did him justice. Whatever might be his speculative or individual opinions upon the value of those institutions—and he did consider them very valuable—he had never said even one word that contained any idea of the transfer of that species of property to the original owners, vested as it was under several Acts of Parliament, and settled by a long course of time. For himself, individually, he would add, that the greater part of that property which he possessed was of that nature. There was another observation of the noble Lord which he did make, for he used it in the House that morning—viz. his attributing the origin of tithes to barbarous times. They certainly did not exist in Ireland till they were introduced by the English, so that the English were the barbarous bestowers of tithe upon that country. If they could get rid of that barbarous novelty it would be no small blessing. The noble Lord had promised a Bill to make some alteration with respect to tithes; but it should be recollected that every alteration was not an amendment; they should see whether it aggravated or diminished the evil, and if it did the latter, every one would concur in it; but if it aggravated the evil, then it was incumbent on the Government to give up their plan. They were bringing forward a plan, not after speculation, but after a trial and a failure. It had been tried in Ireland and it had failed, for it had aggravated the evils. Whilst the tithe system existed, the tithe-payer had a choice either to give up a tenth part of his corn and potatoes, or to pay it in money. If corn was dear, then, of course, his choice would be to pay it in money; but where the corn was cheap and abundant, then, on the contrary, it would be his choice to pay it in kind. The peasantry in Ireland had very little ready capital, and this choice was, to them, of no small importance. The Tithe Composition Act not only took away the choice, but it gave the clergy many facilities of recovering their tithes which they did not possess before. It gave the clergy a grinding power over the unfortunate farmer—it gave them power to distrain even the growing crop; and whereas, before, the clergyman could enter the ground only once a-year, he was enabled to come twice, and to carry away with him anything he could lay his hands on. Whatever was wanted for daily consumption, the clergyman came and marked for distraint, and the poor peasant might be thrust into gaol for daring to give a potatoe, which he had grown by his own labour, to his family. That alteration, in his (Mr. O'Connell's) opinion, instead of being an improvement, had made matters worse. No good could be effected by a change in commutation. He felt it to be his duty most solemnly to protest against the Government Bill, for altering the levy of tithes in Ireland for it was only calculated to aggravate the mischiefs complained of, as it gave the power of distraining without that of replevying. And he, therefore, implored hon. Members, before they consented to a commutation in England, he had already shown its bad effects in Ireland, to ascertain whether it would be productive of good or evil. He felt great delight that a petition of such a character should have been presented from so great a county, and did not consider that it had been at all disparaged by what had fallen from the hon. member for Cheshire.

Mr. *Ruddel Todd* concurred with the last speaker—the discussion would be of a more legislative nature when the Bill was before the House, and would be attended with real advantage.

Sir *Henry Willoughby* would not object to the petition being allowed to lie upon the Table, but he very strongly condemned the prayer it contained. He thought that if the House acceded to the prayer of that petition it would be guilty of as great an act of robbery and plunder, as had ever been perpetrated. This was his firm and decided opinion. The average rent of tithe paid in England was *5s.* an acre. Well, suppose it was *3s.* If they reduced that *3s.* to *2s.*, would they not, he put it to the House, be guilty of a pure and unadulterated act of confiscation? The hon. and learned member for Dublin had spoken a good deal about the origin of tithes. He (Sir Henry Willoughby) thought this question had been long since set at rest; he conceived that it had been consigned to the tomb of the Capulets. If the hon. and learned Member had any wish to revive it—if he were prepared to argue the question in that House—he could find an hon. Gentleman who would discuss it with him, and he was satisfied would be able to prove to the satisfaction of any hon. Member that such a division on the question never existed in England. He could not think that the people of this country, as a people, had any interest in trenching upon those funds dedicated for the support of the Church, religion, and morality. Important questions might arise upon the distribution of those funds; but he denied that the people, as a people, had any interest whatever in the confiscation of a single shilling of the property of the Church.

Mr. *Baring* considered, that the discussion was at that time unnecessary; there was no general view drawn up for the adjustment of that question. Various plans and schemes were proposed, but they seemed to have emanated either from the private opinions of hon. Members, or to have been only the mere instructions of their constituents. His Majesty's Ministers would do well to take warning from the dissatisfaction that was felt throughout the country last year, at the postponement of such an important question as the Commutation of Tithes. It was quite impossible to do justice to the property of the clergy, and make concessions to the people such as they demanded. The question was encompassed with great difficulties; hon. Members should be expected to yield a good deal, and not be so unreasonable as to expect perfection in all the parts of a measure, that would require much discussion. It would become the House not to irritate the country, nor to irritate themselves, by useless and premature discussions.

Mr. *Sheil* was willing to allow the expediency of not immediately pressing forward to the termination of so important a subject as the Commutation of Tithes, so that time might be allowed to examine into the principle on which the alteration was grounded, as well as to the extent to which it should be carried. He was willing to meet the hon. Baronet opposite on Church property. It followed as an irrefutable consequence, that if the State originally appropriated a revenue to the Church, it was in the power of the State to release itself from that revenue again without any spoliation. As to lay tithes, he would not touch them. They were a distinct property, but the tithes which were set apart for the use of the clergy, the State was justified in applying to its own use, by recurring to the enlightened appropriation of that property in barbarous times. He was not for disturbing the present incumbents. It was not fair to do so. Strong instances were before the House, from former times of incumbents being secured in their then possessions. An Act was passed in the time of Queen Mary, and confirmed by the Pope, which secured Church property to those who then had been invested with it.

Mr. *Ayshford Sanford* hoped, that in any measure that might be brought forward, no distinction would be made beween the tithes held by lay impropriators, and those in the hands of the Church, but that it would embrace all. If it was the intention of the Government to make any new arrangement for the payment of the Church, that suggested by the petition presented by the noble Lord would be, perhaps, a fair mode; but the sum stated in that petition, would not be a fair valuation.

Mr. *Benett* agreed with the hon. member for Tipperary, that the lay tithes were different from those in the hands of the Church, but he did not think, that the State would act fairly in appropriating the property of the Church to any other purposes. Something had been said respecting Dissenters, of which body he (Mr. B.) had a great knowledge; and he would say, that he never met with a Dissenter who entertained any idea of doing away with tithes without giving a fair compensation to the clergy. That Dissenters were hostile to the payment of tithes, there was no doubt, and he also was hostile to them. He trusted whatever measure might be introduced, the tithes would be fairly and honestly commuted; but for the effecting this, the bargain must not be too high. Church property was now a very hazardous species of property. The resistance to the payment of tithe had lessened its value considerably; and if it were offered in the public market now, it would not fetch more than two-thirds of what it would have brought five years ago. That circumstance should be taken into consideration in any commutation that might be made, and, for his part, he thought it would be exceedingly desirable if a fair commutation were effected.

Sir *Robert Peel* hoped, in legislating on this question, they would act with great caution, as it had hitherto been, under the salutary control of public opinion. They should bear in mind, that those who were about to dispose of the Church property, were either lay impropriators, or possessed of large landed property, with a direct personal interest in remitting tithes. If anything could sink that House in the public estimation, it would be by affording ground for the imputation, that, in disposing of Church property, they had consulted their own personal interest. He hoped the House would listen with caution to any suggestions establishing a distinction between lay tithes and tithes paid to the Church. They might say, if they chose, that this clergyman or the other had too high a stipend; and they might propose to reduce it; but let them beware not to appropriate the money to any but ecclesiastical uses. An hon. Gentleman had told them, that tithes were State property, with which they might do as they pleased. But while that right of gift was contended for, let them take care, that they did not give this property to themselves. He thus early put in a claim on behalf of the vested interests of the people of England, for whose benefit tithes were intended. They had a deep interest in the appropriation of this property to its original uses, for it was bestowed in trust for them. If the House directed that property to any other purpose, above all, if they turned it to their own advantage, they would be guilty of an act of spoliation which would be fatal to their characters. He would not, at present, enter into the question, whether there should be any other appropriation; but, under the pretence of giving a portion of them, the tenth of the rent, or any other portion, they should be aware, that they did not, by making the payment 2*s*., instead of 5*s*. or 6*s*., as it was reported they now were, commit an act of spoliation towards the great mass of the people of this country, who were not individually proprietors, either of tithes or of land, but who were deeply interested in the proper appropriation of Church property. He was anxious, that the Bill of the noble Lord should be speedily brought forward; and he sincerely hoped it would be founded on the principle of strict justice. If it contained a principle of spoliation, he was sure not two years would elapse before the same principle would be acted on towards other property.

Mr. *Harvey* remembered, that the sentiments uttered by the right hon. Baronet, were precisely those which he himself had expressed upon a discussion upon Irish tithes, and well remembered, too, that certain of his Irish friends around him were not quite pleased with the view he took upon the subject. The real fact was this—and it was incumbent upon hon. Members to know it—that it was the duty of the House to see, that the funds of the Church were not improperly diverted from their destined purpose. Let the tithes of this country belong to whomsoever they might, whether to the Church or to the nation, of this fact there could be no doubt, that they did not belong to the landlords. The House was greatly indebted to the noble Lord, the member for Devon, for affording hon. Members an opportunity to deliver their sentiments upon that important subject. If the noble Lord brought forward any proposition for a commutation of tithes, which would turn the tithe now levied into money's worth, it would be universally disapproved of. What the people wanted was, the real value of the tithes ascertained, and then dealt with as might be thought proper. No Dissenter wished to put the tithe into his own pocket; but there were, certainly, a kind of nonconforming nondescripts in the country, who did not speak out as well as the Dissenters, who, preserving existing interests, wished to see the revenues of the Church not applied for the purposes of the Church. Notwithstanding, he thought, however, that he saw a disposition on the part of the great landed interests, even in that House, to fight their battle quietly, and without any display of what was called dangerous principles, behind petitions of this kind, which ought, properly speaking, to be called petitions pointing out how each man might best help himself to a share of the public property. The tithe which was now paid, was about 5*s.* per acre, and what these very disinterested, and very respectable petitioners—these nine thousand honourable men—wanted, was to put three of those shillings into their own pockets,—one of the most barefaced propositions he had ever heard. The hon. Member had stated, that tithes were every day becoming more and more unpopular. This, no doubt, would be a very good suggestion from a landlord. There could be no doubt but the landlords would, for their own sakes, take care to propagate this doctrine, because the tithes would go into their own pockets; but, for his part, he would much rather see it in the hands of the Church, than in the pockets of the landlords. But the first thing to be done, was, to ascertain the value of tithes in every parish in the country. This done, let the property be secured and appropriated afterwards to such purposes as might be deemed necessary, provided that House saw the necessity for any alteration.

Sir *Robert Peel* wished to say one word in explanation, for the purpose of disclaiming a compliment paid him by the hon. Gentleman who had just addressed the House. What had been stated by the hon. Gentleman, would induce the House to believe, that there was a community of feeling between him (Sir Robert Peel) and the hon. Gentleman on the subject of tithes. He certainly agreed with the hon. Gentleman that the property of that great Corporation, the Church, should be sacred. But he was most hostile to the property of the Church being taken by the State, and applied to the purposes of the State. This doctrine he had been always opposed to, and he would contend against it upon all occasions.

Mr. *O'Dwyer* called upon the right hon. Baronet (Sir R. Peel) in the name of his constituents, who received no spiritual instruction from the Church, to support him (Mr. O'Dwyer), in relieving them from the burthen of tithes.

Mr. *Curteis* said, that his constituents sympathised very strongly with the people of Devonshire, and were equally anxious to obtain a fair commutation of tithes.

Mr. *Kennedy* supported the petition, having been requested to do so by the petitioners. He was glad that the people of Devon had taken the lead upon this occasion, for he was sure that their example would be speedily followed by the rest of the country.

Lord *Ebrington* said, that he must protest against the expressions used by the hon. member for Colchester with respect to the petition; and he would add, that men more honest, and more incapable of being biased by unworthy motives, did not exist. There was another expression also which gave him great pain; for an hon. Member, whilst he admitted that the sentiments of the great land-owners were not in unison with those of the petitioners, insinuated that, in their dissent, they were actuated by their private connexion with Church patronage, or by their private interest as lay impropriators. On their part he threw back the expression; and he begged leave to say, that they were incapable of being actuated by other than the most honest and conscientious motives in the course which they had thought fit to take.

Petition to lie on the Table.

JURIES (IRELAND).] Mr. *O'Connell* had obtained leave more than twelve months ago to bring in a Bill to amend the law of Juries in Ireland. That measure had two objects—one related to the original jury panel or grand panel, an institution which he proposed to have changed into a jury-book. This proposition included Special Juries, and all cases of disputed property between man and man, and of material injuries to the person. The practice in Ireland was for the Sheriff to return the grand panel, which was supposed to contain the names of all the freeholders of the county, and from this panel the officer of the court struck the Jury at his discretion. Such was the state of the law in England previous to the 6th of George 4th, and in Ireland until last year. As he had before stated, his object was to change the grand panel into a jury-book, and to introduce the principle of the ballot in the selection of the Jury, as established by the 6th of George 4th in England. That object was attempted to be accomplished or superseded by the bill brought into the House of Lords by the Lord Chancellor for Ireland last year. The noble Lord brought in a bill to convert the grand panel into a jury-book, and to regulate the selection of Special Juries, which were no longer to be struck by the officer, but to be chosen by ballot. The bill went no further; but he did not mean to cavil at it, especially as it had not yet received a fair trial. His present measure was quite distinct from the noble Lord's bill, and included the second object of his former proposition. It related to all criminal cases above misdemeanors, to felonies of every description; and it included all cases which were tried by common, as distinguished from Special Juries. He wished to amend that part of the law which had been left untouched by the noble Lord. All he desired was, to introduce, in the selection of common Juries, the principle of ballot, as established by the 6th of George 4th. According to the law at present, the Sheriff returned sixty persons, from whom the twelve to try were to be balloted for. The principle of ballot was partially established; he wanted to extend it to common Juries, and to criminal as well as civil cases. He wished to have the sixty persons on the common jury-list selected by ballot, in the same manner as the forty-eight Special Jurors were at present. In the selection of the sixty, the grossest partiality frequently occurred in Ireland, as an instance of which he might state that within the last three days, he had received a letter from a young gentleman, a member of the Munster bar, who informed him that in the county of Cork, of the sixty record jurors (he believed there were two or three relays of them) only three were Roman Catholics. Let the House remember that the Juries so named had to try all cases of crime and of property in which Special Juries were not resorted to; and, therefore, the most strict impartiality was necessary for the peace and satisfaction of the country. What he asked for was leave to lay his plan for the Amendment of the present bad system before the House and the country. Let it not be said, that the application of the ballot to the choice of Special Jurymen was not an argument for its application to the choice of common Juries. Special Juries were composed of men of superior intelligence, and they were originally called Grand Juries; and if it was held desirable with respect to them, in order to secure impartiality, to have recourse to the ballot, how much more desirable must it be in the case of common Juries, in which the Jurors were supposed to be less informed and more liable to prejudice? With respect to the mode of naming Criminal Juries, now pursued in Ireland, no one who had not practised in the Irish Criminal Courts could conceive the agony a Counsel even of the slightest feeling suffered in preparing a defence. The Sheriff returned any number of names he pleased, and the Crown set aside as many as it pleased, so that the Crown had in fact the power of naming the Jury. Since Edward 1st, the Crown had not the right of challenge, but the Judges had in effect repealed that law, as they had done many others. The Judges did not allow to the Crown the right of challenge; but they persuaded the Crown to set aside as many names as it pleased, and the panel could never become exhausted as long as there was a freeholder in the county, because the Sheriff had the power of still supplying. He proposed to substitute this plan: — The Judge of the Assize to name, in an order to the Sheriff, the number of the panel—at present the order was given, but no number named, so that the Sheriff returned as many as he pleased—and the panel so made, the ballot to be employed in striking the Jury. That done, he would give to the Crown the same right of peremptory challenge (twenty) as the accused at present had. He would allow, however, of no setting aside, nor one advantage to one party that was not possessed by the other. The hon. Member concluded by moving for leave to bring in a Bill to amend the laws in Ireland relating to Juries.

Mr. *Littleton* felt it his duty to oppose the Motion of the hon. and learned Gentleman, whose wish was to introduce into Ireland a practice which was not at present legal. At least, if such were the law, he was convinced it was not the custom. The hon. Gentleman wished to introduce into Ireland a practice totally different from what existed in England, and one which he thought would be extremely objectionable. There was not a topic of the learned Member's speech which he had not introduced in his discussion upon the Jury Bill in the last Session. Only six months had elapsed since that Bill had been passed, and before the experience of one Circuit had been obtained, the hon. and learned Member proposed to introduce a new system. He agreed with the hon. and learned Gentleman as to the benefits of a more equal introduction of Roman Catholics upon Juries; and that principle had been fully recognized by the House, and no person could be more enamoured of it than he was. He could not say, that there was that impartiality in the selection of Juries in Ireland which he could wish to prevail; but he thought it unadviseable to alter the law, which had been passed by that House only six months ago, after the fullest deliberation.

Mr. *O'Connell* would not press his Motion to a division, if the right hon. Gentleman were opposed to it. He had the misfortune, however, to be totally misunderstood, for his present Motion had no connexion whatever with the Bill of last Session, which had related only to Special Jury cases, whereas his proposition was confined solely to those cases that could not be tried by Special Juries. He would withdraw his Motion.

Lord *Althorp* said, that his right hon. friend, the Secretary for Ireland, had not had time given him to consider the proposition of the hon. and learned Member. His right hon. friend now understood that the proposition was to make the Jury Law of Ireland like that of England; but he thought it at least desirable to wait until it was seen how the last Act had operated. He believed, that the principle of the English Jury Law applied to Ireland as far as it was at present possible to apply it. When a fair trial had been given to the Bill of last Session, he was not prepared to say, that much of what had fallen from the hon. and learned Member might not have his approbation. From want of technical knowledge as a lawyer he was not able to give a decided opinion; but he was inclined to think, from what had fallen from his right hon. friend, that, under the present circumstances, it was not desirable to concur in the Motion.

Motion withdrawn.

BRIBERY AT ELECTIONS.] Mr. *Hardy* rose to make a Motion, the object of which was, to promote the purity of elections, and to reduce the expenses which at present were attendant on all electioneering contests. He could not but express his surprise that the law had been allowed to remain for so long a time in its very imperfect and unsatisfactory state. He had wished to introduce his Motion at the early period of last Session, for he thought it disgraceful to the country that the House should permit the continuance of practices which were known to exist, and which were of a nature which no man pretended to approve of. A Bill had been introduced in the last Session of Parliament by a noble Lord, and it certainly had gone far to diminish the expenses of elections; but he complained that that Bill had not gone far enough. He gave credit to the Government for a wish to root out every corruption; and he would not in such an assembly declaim against the evils of corruption, for every person present well knew what they were; and he believed that they were very well disposed to adopt every possible means to extirpate them wherever they could be traced and encountered. He feared that this could never be entirely effected but by the diffusion of a moral education amongst the people, and he should therefore avoid laying down rules for a Utopian era that might never arrive. All he now aimed at was, to amend and consolidate the existing laws, and in this attempt he should avail himself largely of the assistance of those who had already introduced Bills with a view of checking corruption in all its wanderings, and under all the disguises that human cunning had contrived for its protection. He asked, whether every man ought not to feel his cheek tinged with the blush of shame at the law being allowed to remain in its present state? He would quote a great law authority, who had said that the House ought to make the law against bribery, not more efficacious, but, for the first time, efficacious. What was the law on the subject? Bribery could be punished by the common law, but the process was so difficult that no man ever resorted to it. Next came the Act of 7th William 3rd c. 3, commonly called the Treating Act; then there was the 2nd George 2nd cap. 24, termed the Bribery Act; next came the Act 49th of George 3rd styled Turton's Act; and lastly the Act 7th and 8th George 4th cap. 37, which, for want of any particular cognomen, might be called the Cockade Act. He contended that all the provisions of the last Act of George

4th had been obviated and defeated. For instance, the penalty for bestowing any cockade, decoration, or mark of distinction upon electors was 10*l*.; but would not the law have been more effectual if the penalty had been levied on all who wore these badges? The Act of George 2nd affixed a fine of 1,000*l*. to any unsuccessful candidate that was convicted of bribery, whilst it affixed no penalty but the loss of his seat against the successful candidate that might be convicted of the same offence. In the recent case in the Stationery Office the House saw how the law operated, for, whilst the innocent person who had received the place was ejected from his appointment, he who had solicited it, and had obtained it for him, still enjoyed his seat in Parliament. The ancestor of the right hon. member for Montgomery, who had introduced the Bribery Act, had flattered himself that he had spread his nets far and wide enough to catch all kinds of bribery; but the Act was only of a prospective nature, and had been defeated in the case of Lord Huntingtower. The cause, however, was lost upon the ground that the bribery was prospective. The case just now mentioned was one of that class to which he proposed by this Bill to apply a remedy. Hitherto they had been entirely too slow in following up the punishment of bribery at elections. The law hitherto had, in general, been successfully evaded by ingenious and new contrivances. When new schemes were thus introduced to defeat the provisions of existing laws new legislative provisions should be introduced to meet and to defeat such schemes. As the law now stood on the subject of bribery, it tended rather to encourage it, during the whole time before the issuing of the Writ, and twenty-eight days after the election, than to discourage it. So much was this the case, and so great was the difficulty in ascertaining when bribery took place, that Sir Arthur Pigot said, he had for twenty years been in the habit of attending Election Committees, and that he found it impossible for him to say positively under what circumstances it would be adviseable to petition the House of Commons against a Return on the ground of bribery. The Statute against Bribery at Elections passed in 1677. It was designated as "An Act to prevent a too large Expense at Elections for Members of Parliament." By this it was provided that no treating should take place except in the dwelling-houses of candidates, and elsewhere not to an amount beyond 10*l*. He would submit to the House, whether it would not be proper to provide, that if any entertainment were given during an election, or before or after an election, that circumstance should be taken as evidence that the entertainment had been corruptly given, unless the contrary were proved; and he would throw the *onus* of proof upon the party giving the entertainment; because it was possible that an entertainment might be innocently given; but there was, nevertheless, the strongest reason to suspect it, when it was given at a time when it was most likely to produce its influence. Another point was the payment of the travelling expenses of voters. The intention of the Bribery Act was to prevent all expense whatever; and, although the Reform Act had, with this view, established different places at which votes were to be taken, yet, if the law were left in its present unsatisfactory and unsettled state, on the subject of voting at different places, no great length of time would elapse before voters would be demanding their travelling expenses. He had heard it said, that a voter was justified in claiming the expense of going to give his vote, because that could not sway him in giving his vote. Could anything be more absurd than this? Was it to be supposed that a voter who had been conveyed to a polling place, for the purpose of giving his vote, would feel himself at liberty to vote for whom he liked? Some persons had attempted to compare the voters to witnesses, whose expenses were paid by the party subpœnaing them. But where was the analogy between the situation of a candidate and a plaintiff or defendant? He thought it was rather to be compared to the case of Jurymen, who frequently came many miles to the Assizes, and sometimes remained there eight or ten days, at considerable expense and loss to themselves. But they were fulfilling a public duty; and if they were not paid their travelling expenses, how much less should they be paid who came to exercise a franchise, which had uniformly been considered as one of the most valuable privileges that could be conferred upon man. He hoped the House would insist that each voter, particularly now, when so many facilities were afforded, should give his vote freely, independently, and indifferently, according to the theory of the Constitution. To effect this object, which he thought a very important one, he intended introducing a provision in the Bill which he hoped the House would allow him to bring in. It would be necessary also, in doing this, to have respect not only to individual voters, but also to certain places which had been known to court the exercise of such corrupt influence. It might be said, that the new boroughs were not likely to be affected by any spirit of this kind; but the new boroughs would be composed of the old leaven, and the same tendency to corruption would probably insinuate itself, and prevail in the progress of time as had been found in the three famous synchronous cases of Pittenween, Jedburgh, and Oxford, in 1765, 1767, and 1768. Having thus put a stop to travelling expenses, and in order to get at bribery in the most effectual manner, he would avail himself of the proposition to compel the parties to be witnesses before a Committee, and to give evidence of the transactions in which they were implicated, at the same time granting them a certificate, to exempt them from the consequences of any prosecution in a Court of Justice. He would also extend the right of petition in a case of bribery twenty-eight days beyond the period of which there was proof of any act amounting to bribery. Another subject was a provision, containing an oath to be taken on the part of the candidate, that he had not, knowingly made use of any bribe. He was one of those who thought that there was no advantage in administering an oath to a voter unless it were also administered to a candidate. He was sure that if the law administered an oath at the place of election, or called for a declaration to the effect that the candidate had done nothing corruptly to procure any vote, and had not paid money to procure votes, that the law would strike effectually at all attempts of agents to procure votes by corruption, because an agent would not expend money which he knew the candidate would swear he had never paid. He should feel it his duty to make that part of the Bill. It was his intention to move that the Bill be referred to a Committee, to consist of such Members as had sat on the Committee of the hon. member for Montgomery, Gentlemen who would attend to the business; and the Bill might then be moulded into a shape to make it worthy of the consideration of the House. He was sure that those who had guarded against corruption in Ireland would take care to guard against corruption on the polling-booths of England. The hon. Member concluded by moving for leave to bring in "A Bill to Consolidate and Amend the Provisions of the several Acts relating to Bribery, and to Charge and Expense in the Election of Members to serve in Parliament."

Lord *John Russell* would not offer any opposition to the introduction of this Bill, and would postpone his observations upon its provisions until he had seen the Bill itself. He would only allude to one observation of the hon. Member, viz., that he had proposed a Resolution as to the practice of paying some time after the election. A Resolution had last year been adopted by the House, and was repeated in the Resolutions of this year, that if a sum of money was paid to a voter for a vote at an election, the Return might be questioned on that account within a period of twenty-eight days after the payment, and at the expiration of fourteen days after a sum of money, which had been regularly stipulated for, had been paid to a voter. Whatever corruptions existed, it was his wish to have totally done away. He fully approved of the Resolutions of the hon. member for Montgomery.

Mr. *Williams Wynn* had not the slightest doubt of the general concurrence of the House in adopting the present Bill, which he considered most desirable, not only for the purpose of effectually preventing bribery by new provisions, but by consolidating, to remove all possible doubts regarding those which at present existed. Particularly with regard to the Treating Act, it was most desirable that the law should be made perfectly clear. The law could not render a candidate responsible for the treating practised by his friends, because a person pretending to be his friend, but being actually his enemy, might treat his partizans for no other purpose than to set his election aside. He admitted that this was an extreme case; but he would appeal to such Members of the House as had stood contested elections, and would ask them, whether they thought that any candidate who had zealous partizans—and partizans often took a warmer interest in elections than candidates themselves — could venture to answer that he had not violated the provisions of the Treating Act, supposing he were to be answerable for the acts of his partizans. He admitted the difficulty which existed upon this point; for if the law did not shut the door against this treating of the electors by a candidate's friends, it left an opportunity for the grossest and most profligate corruption. What, however, was the House to do? Men would be found ready on all occasions to swear, and to swear truly, "I acted so and so without any communication whatever with the candidate. He knew nothing of the treating which I authorized. All that I did was done at my expense, and I expect no remuneration from him." Would it not, however, be extremely difficult to prevent a candidate from remunerating after an election the partizan who had shown so ardent a zeal in the promotion of his interest? He fully concurred with the hon. member for Bradford, that there was not the slightest ground for allowing travelling expenses to voters going to the poll. He was himself of opinion, that such expenses were already illegal, but he knew that some Committees had decided otherwise. As there appeared to be some doubt on the point, he should be glad to have these travelling expenses to voters declared illegal by Act of Parliament.

Leave given, and the Bill ordered to be brought in.

IMPRESSMENT OF SEAMEN.] Mr. *Buckingham* said, that, in rising to call the attention of the House to the Motion of which he had given notice, for a Select Committee, to inquire into the practicability of devising some plan for manning his Majesty's navy, without recourse to forcible impressment, he might, perhaps, be permitted to congratulate himself and the House at the removal of many of the objections which were urged to his Motion on this subject last Session. On that occasion, having, at the express desire, and to suit the avowed convenience of his Majesty's Ministers, deferred that Motion several times, he was taunted, in return for his courtesy, with the lateness of the period of the Session at which the Motion was brought forward; and this very lateness, caused as it was by his Majesty's Ministers themselves, was urged as a reason why the Motion could not be acceded to, as there was then no time to consider of any substitute for the practice of impressment, which the Motion went to abolish. He had been determined, therefore, to avoid this objection now, by selecting the earliest period of the present Session for a renewal of the discussion, in order that there might be ample time for a Committee to investigate the whole subject, and close their labours sufficiently early to admit of the proper measures being matured before the Session was brought to a close. The interval had afforded him also, abundant opportunities of ascertaining the state of public opinion on this question in the principal seaports of the kingdom, where the subject was best understood: as well as of collecting many new facts illustrative of the evils of impressment, and of the general feeling of abhorrence with which that system of human robbery and violation of all personal right was viewed. As, however, he was anxious, that other hon. Members should be heard on the subject, he would content himself with such a limited statement only of the case, as would show the House the grounds on which he asked their concurrence in his views, and justify to their own minds the granting him that support with which he ventured to hope they would now honour him. At this time of day it could scarcely be necessary to say much as to the cruelty and injustice of such a practice as impressment. The noble Lord, the Chancellor of the Exchequer, had, in the last Session, expressed his astonishment that he (Mr. Buckingham) should have compared such a system with slavery. But, after mature reflection, he felt bound to say, that no comparison could be more appropriate, as a moment's consideration would show. Let the House ask itself what were the principal features that characterized the Slave Trade, and Slavery, and what were its chief wrongs and sufferings that roused up the indignation of the whole British people. The answer would be this. Slavery was first characterized by the brutal and inhuman act of dragging a man from his own home and family by force, and compelling him, against his will, to enter a service of which he had a rooted abhorrence. Secondly, by compelling the slave thus dragged from his home, to labour for inadequate wages, for an indefinite length of time, and subject to the lash of the whip, if he offended the regulations imposed on him by his tyrant, or even evinced dissatisfaction with his hard lot. Thirdly, by subjecting to the severest torture of flogging, and sometimes even to the punishment of death, any attempt to desert from the state of suffering to which an act of tyranny and cruelty had alone consigned him. These were the characteristics of Slavery; and to abolish this, the united voices of all classes of people in the British empire had been lifted up and heard. He contended, then, that the impressment of seamen for his Majesty's fleet was characterized by every one of these revolting features. The men were torn from their homes and families by force, and obliged to yield to the terrors of the armed pressgangs, by which they were dragged through the streets. They were made to labour against their will for inadequate wages, for an indefinite period of time, and kept in subjection by the infliction of the lash. And if they dared to desert, in the hope of regaining that home from which they had been thus forcibly torn, they were liable to the severest tortures of corporal punishment, and even to death itself. There was, then, little or no difference between the two systems; for if, on the one hand, it might be said, that the labour of the seaman was not so severe, and his food and clothing better than that of the slave, on the other hand it must be admitted, that the deprivation of personal liberty to a free-born Briton, and especially to one of that profession, the chief charm of which is the liberty of action in the choice of the ship, the commander, and the station, must be far more galling to the mind than the same coercion would be to the native of Africa, to whom captivity in war, and slavery in labour, were familiarized by its being the common lot of all classes of his unhappy countrymen. He thought, therefore, that his Majesty's Ministers, who had brought forward the Bill for abolishing slavery in all the British colonies, could not refuse their assent to a measure for abolishing slavery at home; unless they were prepared to say, that, though adequate wages and good treatment would obtain sufficient cultivators for the colonies without man-stealing and oppression, yet that the same inducements would not supply the fleet with seamen, and, therefore, impressment must still continue. He did not, however, anticipate such a result; and, therefore, he trusted, that while his Motion met with no opposition from the Cabinet, it would be warmly supported by all those who had assisted, by their speeches or their votes, to give the death-blow to slavery in the East and in the West. It had been said, however, that the seamen themselves were indifferent to the evil, and that they had never petitioned for its abolition. Supposing that this had even been the case, it was no argument whatever against its injustice. Seamen, from their imperfect education and generally careless habits, were not likely to have investigated the matter with the same care which landsmen would bestow on any grievance affecting themselves. At sea they were too much engaged with their duties, and separated into too small parties to get up public meetings, and pass resolutions or petitions; and, in the few brief intervals which they enjoyed on shore, they were too much under the influence of those short-lived pleasures which their previous state of privation made them relish with more intensity than other men, to give their thoughts to any thing but the impulse of the moment. They had no organization, no leaders, and were destitute, therefore, of all the elements of a deliberative or a petitioning body. And yet, notwithstanding this, there had not been wanting instances in which the seamen of England had given expression to their feelings, in language not unbecoming any class of his Majesty's subjects. He would content himself with citing two instances only out of many that might be quoted. The first occasion was this: Soon after the accession of George 3rd, in 1760, a petition of the mariners of England against impressment was presented to his Majesty by the Duke of Cumberland, who began his career in the navy, and who, on that account, was selected by the seamen to carry their prayer to the foot of the Throne. The other occasion was more recent, coming down indeed, to our own times. It was in a document emanating from the seamen of South Shields, that most extensive nursery for the British navy, including the immense body of coasting mariners that sail from the Tyne and the Wear, which expressed their abhorrence of the system, and their prayer to be relieved from its oppressions. He believed this to be the general feeling of the whole maritime body in every port of the kingdom; and if this feeling were not so frequently or so powerfully expressed as might be expected, it was to be ascribed chiefly to the two causes he had previously named; their isolated occupation at sea, and their frenzy of enjoyment on shore. But, it had been contended, and that too, by the right hon. Baronet, the First Lord of the Admiralty, that impressment was not only necessary, but that it was legal, and its legality defended by some of the highest authorities of the land. Supposing, however, that this were undeniable, it could furnish no good reason why a wrong that was sanctioned by law should not be abolished by law also; or why a custom "more honoured in the breach than in the observance" should not be wholly discontinued. If they looked a little closer into this matter, however, they would find, that its legality had been asserted by only one authority of any note, and that a most doubtful one: while its illegality had been declared by many of the most eminent men of the kingdom. Lord Camden challenged the whole profession to prove the legality of impressment; but no one undertook so odious a task. Lord Mansfield admitted, that it had only usage in its defence; and Judges and Juries had repeatedly acquitted men under trial for murder, because they had justifiably resisted the invasion of their personal liberties by press-gangs. The great authority, however, on which the First Lord of the Admiralty relied, was Sir Michael Foster, the Recorder of Bristol; though a more unfortunate selection could hardly be made than of this subservient and promotion-seeking Judge, who stood alone in the infamy of having laboured to defend a system, which all true lovers of rational and constitutional freedom could not but regard with horror. Judge Foster was Recorder of Bristol at a time when an attempt having been made by a gang from the Mortar sloop to impress a seaman named Broadfoot, out of a merchant-ship in the Bristol channel, one of the press-gang, named Calahan, was killed by Broadfoot shooting him dead on the spot. The man who had committed the act of murder, as it was called, was tried for the offence before the Recorder, at Bristol, on the 30th of April, 1743. In the course of the trial, it was proved, that the press-warrant, by virtue and authority of which the attempt to impress the seaman was made, was not, at the time of the death, in the hands of the lieutenant to whom it was assigned, nor was the officer present—two omissions which were fatal; and the Judge was accordingly compelled to direct the Jury to acquit the prisoner of the wilful murder laid to his charge, as the act of slaying the individual who had made the attempt to seize him, without the necessary forms of the legal warrant or the presence of the officer, could not be considered as murder, but merely manslaughter. It was on this issue, however, that Foster took occasion to deliver in Court a long argument in favour of the legality of impressment, as established by usage, and being part of the King's prerogative, inherent in the Crown. This argument, or charge, he afterwards revised and published; and, as he no doubt anticipated, it proved so acceptable to the Government of that day, that it obtained for him very speedy professional promotion; for, in less than two years afterwards, he was made one of the Judges of the King's Bench. As a Crown lawyer, and a warm advocate for the King's prerogative, he was, undoubtedly a person of great repute; but, on many occasions, his views were so singular, that he often differed on various points from all the other Judges of the Court, and delivered his opinions against their judgments. As regarded the argument or charge in question, "The King *versus* Broadfoot," it had never been considered by great constitutional lawyers, or by eminent liberal statesmen, as of any worth, and had rarely been referred to, except to prove the usage of impressment as continuing through several successive reigns. Even Judge Foster, however, qualified his opinions by passages like these. 'The question is—whether mariners, persons who have freely chosen a seafaring life, persons whose education and employment have fitted them for the service, and inured them to it—whether such persons may not be legally pressed into the service of the Crown, whenever the public service requires it—*Ne quid detrimenti respublica capiat?* For my part I think they may—I think the Crown hath a right to command the service of these people whenever the public safety calls for it;—the same right that it hath to require the personal service of every man able to bear arms, in case of a sudden invasion, or a formidable insurrection. The right in both cases is founded on one and the same principle: the ne-

'cessity of the case, and the preservation 'of the whole. This personal service, in 'case of extreme necessity, is a principal 'branch of the allegiance which every 'subject of England owes to the Crown.' This was the language of Judge Foster; and who did not see, even in this, that it should be only in cases of sudden invasion — formidable insurrection — or moments of the greatest danger—that every man capable of bearing arms, should be equally liable to the call upon his personal services?—a maxim to which most persons would agree, if the emergency should arise, and the necessity be clearly proved. The error lay in this—that what should only be the exception was made the rule. A standing army was held to be unconstitutional; and therefore we have an annual Mutiny Bill. The trial of civil offences by Courts martial in Ireland, was clearly unconstitutional, and therefore we have a Coercion Bill. The impressment of men for the Navy, except in times of admitted peril, should be declared equally illegal; and if an inevitable necessity should arise, it would be better to pass an Order in Council, as for the suspension of the *Habeas Corpus*, or the establishment of a censorship on the Press, to be repealed when the danger was over, than to let impressment be considered to be the legal rule, and thus warrant resort to it at the discretion of any single captain, which is the case at all times abroad, and wherever there is a difficulty in getting men to enter at home; though, with a well-organized system of a retaining pay for the navy, registering for the merchant seamen, and ballot for the maritime towns, no such cases of necessity ever could arise. It was said, during the debate on this subject in the last Session, that Judge Foster's argument had never been answered: but, besides a host of minor writers, who undertook its refutation at the time of its appearance, the celebrated Benjamin Franklin entered the lists against him, and gave him a complete refutation. And although a First Lord of the Admiralty could not be expected to read every work on Impressment, it was certainly very remarkable, that so celebrated a reply as that of Benjamin Franklin to the charge of Judge Foster should be unknown to the right hon. Baronet. So much, then, for the authority of Mr. Justice Foster. But, turning from so tainted a source as this, to the opinions of men not seeking preferment, by subserving arbitrary power, they would be cheered by the contrast. The great Lord Chatham, in his speech on the occasion of Lord Pulteney's Bill for speedily manning the navy, in speaking of the recent practice of impressment, condemned it in the strongest terms, as illegal, unconstitutional, and cruel. Lord Chatham also quoted the celebrated passage of Magna Charta, which says, "No free man shall be taken, or imprisoned, or outlawed, or exiled, but by lawful judgment of his peers, or of the law of the land." On which passage, the great Lord Coke had made the following commentary: "No man shall be exiled, that is banished, or forced to depart, or stay out of England, without his consent. By the law of the land, no man can be exiled, or banished out of his native country, but either by authority of Parliament, or in case of abjuration for felony, by the common law; and so when our books or our records speak of exile or banishment, other than in case of abjuration, it is intended to be done by the authority of Parliament, and therefore the King cannot send any subject of England against his will out of this realm, for that he should be an exile, and that he should *perdere patriam.* No, he cannot be sent against his will into Ireland, to serve the King or his Deputy there; because it is out of the realm of England; for if the King might send him out of this realm to any place, then under pretence of service as ambassador, or the like, he might send him into the farthest part of the world, which being an exile, is prohibited by this act." And as it was a generally received opinion in law, that nothing less than one Act of Parliament could repeal another, so, if Magna Charta stood unrepealed, then was the forcible impressment of seamen a direct violation of its provisions, and contrary to the law of the land. Of cases in which the illegality of impressment had been decided by verdicts of juries, it would be easy to cite many: but he would content himself with two only, the particulars of which he had become acquainted with in his recent visit to Hull, and to one of which an hon. Member of this House (Mr. Pryme) had been an eye-witness. In both these cases, the persons who had killed men belonging to the pressgang were acquitted of the charge of murder, on the ground that the power of impressment was illegal, and might be therefore lawfully resisted.

Let the House observe, then, the position in which such verdicts as these placed both parties in the transaction. It had been well said, that it is an incontrovertible maxim in all oppositions, that one side must be right, and, *vice versâ*, one wrong. But, according to every authority, the nature of a press-warrant is such, that if the lieutenant of the gang, in the attempt of pressing a man, were to commit murder, he would not be amenable to justice, but would be acquitted, from having done it *ex officio:* and, on the other hand, if any one whom they were attempting to press, were likewise to be guilty of that crime, neither would he be liable to punishment, but would have an acquittal upon the plea of self-defence. Strange contradiction, when murder on either side is palliable! This at once set the injustice of press-warrants in the strongest light; they were either right or wrong: if the former, no man that came within their tenure could by law resist them, and undoubtedly would (if murder were the consequence of such resistance) be open to the extremest rigour of the law, as much so as if he were to kill a constable, or any other peace-officer, in the execution of his duty. On the other hand, if they were unsupported by law—if they had nothing to justify them but the absurd plea of custom—they were in every respect unwarrantable, and the officers who executed them had no justification for the violence they too frequently made use of, but were liable and ought to be brought to condign punishment. It was high time that such a state of things as this should cease, and give place to some more settled and defined law on the subject: and all that was wanted to effect this was, that the Committee he asked for should be granted, and the subject investigated with that care and attention which should prepare a substitute for the practice he sought to abolish, and preserve, at the same time, the rights of private liberty and the interests of the public service. The inefficiency and expensiveness of impressment, as compared with voluntary service, were topics, however, that required to be touched on as well as its cruelty and illegality; and if he could establish these points in addition to the former, he thought the grounds on which he should ask the support of the House would be irresistible. So long ago as the time of Sir Robert Walpole, the utter inadequacy of impressment to secure the full supply of proper men had been forcibly dwelt on, and, from that hour to the present, the difficulties of obtaining the number and kind of men required had been a constant theme of complaint. Indeed, a moment's reflection must satisfy any one, that the agency of a press-gang, at the very name of which men fly with terror from the ports where they are, into all the surrounding country, to escape being seized, must be a most inefficient instrument, when the object is to draw and attract all the scattered seamen of the kingdom to the principal ports where they are required. It might be safely assumed, that, of 20,000 seamen which might be present in the harbours of England at the breaking out of a war, 19,000 might be obtained for the navy as volunteers by adequate pay, limited service, and kind treatment; while the effect of attempting to seize them by press-gangs would be, that 1,000 might be secured by the first sweep of the ships and taverns; but that 19,000 would escape; and either remain in their hiding places, till the impress had subsided, or go off concealed in the holds of merchant vessels, while foreigners navigated them, to swell the navy of France, or Russia, or America, and take up arms against their native land, as had been notoriously the case in past time, and as would be repeated again should impressment ever be attempted to be revived. In consequence, then, of the impossibility of securing by impressment the full number of the best seamen required for the fleet, men of an inferior description were taken; and when these were exhausted, landsmen were impressed, jails and prison-ships were emptied of their criminal inmates, and heterogenous assemblages of all manner of men were thus congregated together, who could only be kept in order by a severity of discipline which would be wholly unnecessary in any voluntary service; and which, besides, endangered the safety of the ship and crew in moments of peril, whether in the face of an enemy, or amid the dangers of a lee shore. Admiral Patten asserted, that he was enabled, from his official situation, as one of the Lords of the Admiralty, to ascertain the fact, that the total number who deserted from the service in the last war, in the short space of twenty-five months, from May, 1803, to June 1805—and that, too, notwithstanding the utmost vigilance exercised to prevent it, was no less than 15,000 men. Lord Nelson, in an interesting paper presented by him to Earl St. Vincent, in February, 1803, on the evils of impressment, and the best mode of manning the navy, calculates the cost of procuring the men by impressment, at 20*l.* a-head, on the average; and says, that 42,000 so impressed, deserted during the last war, making a loss of 840,000*l.* to the nation, besides the cost of supplying their places by others. He asserted, that there was then scarcely a fleet of merchant ships that left England which did not carry off at least 1,000 deserters from the Navy concealed in their holds: and all these, of course, went to replenish the navies of other powers, but especially American, many of whose crack ships were manned, disciplined, and fought, by the skill and valour of British seamen, while the ships of the English navy were left with skeleton crews of the most wretched kind and description. Admiral Ekins gives some account of the number of our seamen who were serving in the American ships, and says, that Commodore Decatur declared, after taking the Macedonian, that he had not a seaman in his ship who had not served from five to twelve years in the British navy. He added, that two of their guns were named 'Nelson' and 'Victory;' and to the former it was the exclusive privilege of men who had been bargemen of the British Admiral to be quartered. Now, in the event of a war with any of the maritime powers of Europe, should impressment not be previously abolished, there could be no doubt that our seamen, driven by the terrors of the press-gangs from our own shores, would escape as speedily as they could to America, and enter into their merchant or naval service. Impressment on shore would be useless after the first day, as the men would have hidden themselves or flown; and impressment afloat, from those American vessels to which our seamen may flee for safety, would be resisted by the Americans to the death; so that we should be shut out from both these sources, and be obliged to depend on voluntary entry, for bounties or increase of pay, after all. The system, then, was not merely cruel, but altogether inefficient, not answering even the end proposed, namely, the speedy manning the fleet, the necessity for doing which effectively on a sudden, was the chief plea for retaining this terrific power. But it appeared, that it was not only on sudden occasions, but even in periods of profound peace, that impressment was resorted to. Not more than two days ago, he had received a letter from a gentleman at Liverpool, which stated this fact; and as the letter was so recent and so well authenticated, he would venture to read a portion of it to the House. The writer said: "In the autumn of 1832, the Government ordered the equipment of a fleet of vessels, which were sent to the Scheldt to watch over the movements of the Dutch. To man this fleet, impressment was had recourse to in the Thames, and, through private information, I learnt that the Admiralty had ordered a vessel round to Liverpool for the same purpose. To prevent the completion of their design, I immediately wrote to the Admiralty, and offered to procure 1,000 able seamen, without a bounty, for his Majesty's service within one month, provided they would give to the men, as is customary with merchants of this port, an advance of two or three months' pay. A vessel, the May Flower cutter, lieutenant Morgan commander, came round to Liverpool with forty-five men, an acknowledged press-gang; but I need scarcely add, that no impressment was attempted. Mr. Barrow acknowledged the receipt of my offer, and said, he was commanded to thank me in the name of the Admiralty, and to say, that a sufficient number of men had been procured. The cutter was in the Mersey about a fortnight, during which time she got about twenty volunteers. There were, to my knowledge at the time, many hundreds of seamen, who wanted to ship themselves; and the finest men in the port could, at that, or at any other time, be procured at a bounty of 4*l.* or 5*l.* per man." It could scarcely be necessary, he thought, that he should trouble the House further on this point. If the object of impressment were to secure a full supply, not merely of the requisite numbers, but also the best description of men for the King's navy, then had it utterly and entirely failed; for its effect had hitherto been, to frighten and to force from our own shores some of the best and bravest of our seamen, who went to strengthen and improve the navies of other countries—to leave our merchant ships to be navigated almost wholly by foreign seamen in time of war; and to cause our naval ships to be manned by the sweepings of the brothels, the outpourings of the jails, and the rejected and condemned outcasts of society, who could only be kept in order by a system of torture and terror, instead of their being, as undoubtedly they might be made, under a better system, homes of comfort and protection, as well as bulwarks of safety and defence. The House would now expect him to show what remedy could be applied to such an evil as this, and what mode of obtaining men he would recommend in lieu of the present. His answer would be, that we should act exactly on the same principle as had guided us in the Abolition of Slavery. In that House, during the last Session, it had been triumphantly shown, that the negroes of the West Indies, being human beings like ourselves, were animated by hopes and fears like us, and, having a love of pleasure and a hatred of pain, they were capable of being swayed by the same motives as other human beings to seek the one, and avoid the other. The question with respect to their condition was comprised in these few words, "wages or the whip." The latter had been tried, and found ineffectual. The former was, therefore, determined to be the proper stimulus to draw forth their willing and efficient services. It was exactly the same with the seamen of Britain. The handcuff of the press-gang, and the lash of the boatswain's mate had each been tried, and the effect of both was to inspire hatred of the service and frequent desertion. Let adequate wages and limited service, free agency and honourable treatment, be tried; and there would be no more difficulty in getting men for the navy than for any other service in which human hands are required. On a former occasion, he had entered into minute details, explanatory of the plan he would propose as a remedy or substitute for impressment. But as his present Motion was not, like the former one, declaratory of any opinion as to impressment, but merely for a Committee to consider of the practicability of doing away with the forced service, and substituting some mode of voluntary entry instead, he should content himself with briefly enumerating the three leading principles on which the plan he suggested was founded, and in the justice of which the first Lord of the Admiralty then concurred, as he doubted not the whole House would now do. The three principles were these: The first principle of it should be, to encourage the entry, education, and protection of seamen, in the fishing, coasting, and mercantile vessels of the country; so that no new levies, or unskilled hands, should ever get their first training in a ship of war, but be previously initiated and well seasoned to the hardships and duties of their enterprising profession, in those nurseries already named. The second principle of any such system should be that of rendering the naval service as attractive as possible, and making it the interest of men to seek for employment in his Majesty's ships, rather than in any other class of vessels. The third principle should be, that of progressive advancement in honour and emolument in proportion to the length or the importance of the duties performed, so as not merely to draw men originally into the service, by the attraction of adequate wages, kind treatment, and a reasonable enjoyment of liberty, but also to attach them to the service for ever afterwards, by making their interest and their duty to go hand in hand together, and inspiring them with feelings of honourable pride in a rank obtained by length and value of time devoted to the defence of their country's liberty and honour. On these he would ground a system of registration that should include every individual obtaining his livelihood on the seas, or coming within the fair description of a maritime or seafaring person; and, exempting them from all liability to serve in the army or militia, procure out of their body, by a system of voluntary entry, and fair routine of equal liability to service afloat in turn, any number of thorough bred, able, and enterprising seamen, that his Majesty's service could at any time require; the details of which system he should be prepared to state fully to the Committee, under whose province it would properly fall, to consider of their practicability, and report their opinion thereon to the House. As some prejudices and misconceptions, however, existed, with respect to a system of registry, which, it was contended, had been tried and failed, a brief explanation of the history of that experiment might be permitted to him. There was an act passed in 1696, in the reign of William 3rd, for the registry of seamen, which had often been described as tyrannical and oppressive, though it was wholly voluntary, and authorized no coercion whatever.

The seamen of that day, however, would not enter themselves in such registry: first, because there being no legislative provision for the abolition of impressment, they regarded it as a decoy to induce them to enter themselves for the purpose of assisting towards their own seizure, if their services should be needed; and secondly, from the deep-rooted aversion they then had to the naval service, in which all manner of abuses prevailed. Ralph, in his History of England, states, that in 1703, Queen Anne, after prevailing on the sailors to man the fleet, by the most solemn promise, that their wages should be paid up to a certain period before they sailed, totally neglected the fulfilment of her pledge: for, by accounts laid before the House of Commons at that time, it was shown that no less a sum than 1,036,415*l.* was due to the fleet for arrears of pay; and so great, he says, was the discontent among them, from this arrear of their pay, bad provisions, and cruel usage, that the most severe discipline, nay even death itself, (for many of them were hanged for desertion, and some even for demanding their wages, which was called Mutiny!) could not prevent its breaking out. In 1706, however, a new mode was tried of compulsory registry, under the most odious and oppressive provisions. The Act was passed through Parliament in four days. It authorized the levying of 20,000 men; and it empowered Magistrates to hunt out seamen wherever they could be found. Twenty shillings a-head were to be given to constables for apprehending them; and if they deserted after being delivered over to the officer, they were to be deemed guilty of felony. As an encouragement to dishonest men to join the royal standard, all insolvent debtors who entered to serve in the fleet were to be released from their imprisonment and liabilities. The enforcement of this Act was found impossible; for though every means were tried to hunt out and seize the seamen, they secreted themselves in all manner of hiding places, and the people on shore gave them ready shelter, till at length, in despair of manning the fleet by such means, the Act was repealed, on the very ground that it had been found oppressive, expensive, and wholly inexpedient. It was about this period, too, that piracy in the East Indies, and buccaneering in the West Indies, were so prevalent; and it was a matter of certainty that this horrid system of forcible impressment, ill-usage, and excessive cruelty at home, drove the best and bravest of our seamen abroad, who, being unable to gain an honest livelihood in the peaceable pursuit of their profession, manned and fought some of the finest vessels that ever swam the seas, and performed prodigies of valour, accompanied by mercy in many instances towards their captives, bespeaking the noble and generous nature of the men themselves, which, under kind treatment and a liberal system of inducement and rewards, would have made thousands of them useful and honourable defenders of their native land. Let the House assist him then in his endeavours to prevent a recurrence of all these evils, by the abolition of that cruel practice which had been so fruitful a source of misery and crime. If the difficulty of finding a substitute were alleged, he would say that a nation which should have the hardihood to attempt to govern an empire of a 100,000,000 of conquered subjects at a distance of 10,000 miles, and yet shrink from undertaking to devise a plan for organizing 100,000 seamen for the supply of our navy at home, must have a strange conception of its own strength and weakness. If the expense of paying bounties and adequate wages formed the principal obstacle, he would point to the grant of 20,000,000*l.* for the abolition of slavery; and contend that the abolition of impressment ought to be an object fully as dear to us as the abolition of slavery. And if the King's prerogative, or immemorial usage, were pleaded in objection, he would point to the annihilation of ancient boroughs, with their Royal Charters, and vested rights, to the reform of Municipal Corporations, whether given by Royal Charter or otherwise, and to the generally recognized doctrine, that to the great and paramount consideration of the happiness of the people, all privilege, prerogative, and custom must be made to give way. He would leave the subject, therefore, in the hands of the Commons of England, the most appropriate protectors of the rights and liberties of all classes of his Majesty's subjects: in the full assurance, that the seamen of Britain, the brave and generous defenders of their country from all foreign aggressors, who wielded the thunders of the British Navy on every hostile shore—and who manned those floating bulwarks to which we looked as the guardians of our sea-girt home—would receive at their hands, the justice of which they had so long been deprived. They desired not to be placed above any other class of the King's subjects. But they had determined that they would no longer submit to be placed below them all; and the world at large would concede to them the justice of their demand; when they simply asked, before they took up arms and shed their blood in defence of their country's liberties, that that country should no longer sanction a violation of their own. If they were to fight the battles of freedom, it was necessary that they should themselves be free; and in the progress of improvement and reform, though they were content to be the last of all the classes emancipated from their chains, yet they could not endure their galling pressure longer; and demanded, before they lifted up the arm which they held ever ready to strike down their country's foe, that that arm should be unmanacled, unfettered, and completely free; as they would then be best enabled to protect the liberties of others, when they had been taught to preserve and respect their own. He begged leave, therefore, to move, "That a Select Committee be appointed to consider the practicability of devising some plan, by which his Majesty's navy may be manned in time of war, without recourse to the practice of forcible Impressment."

Mr. *George Frederick Young* rose, with a deal of pleasure, to second the Motion. He had hoped that the necessity for bringing it forward would have been superseded by the concession of the right hon. Baronet at the head of the Admiralty, for he was sure the right hon. Gentleman could not have forgotten the unequivocal expression of feeling on the subject in that House, when it was last under discussion. This hope had been greatly encouraged from the new regulation which it was proposed to adopt, of discharging 500 men from the navy, and rearing 1,000 boys; and from the Bill introduced by the Government, to do away with service in the navy as a punishment for the crime of smuggling, thus enhancing the character of the service, and holding out inducements to men voluntarily to enter it. Impressment had been upheld on the ground of necessity, that had been hitherto the only plea for its continuance, but he, for one, denied that that necessity existed. That was the only argument used by the right hon. Baronet the last time the subject was under discussion. The right hon. Baronet adopted the opinion of Lord Chatham, and rested contented with that. But the plea of necessity had never been made out, and as was well known, both Lord Nelson and Lord Exmouth doubted it. The gallant Officer opposite (Sir Edward Codrington) too, who while he entwined his brows with laurels at Navarino, had made his claims known to the world to be considered a high authority on all naval matters, asserted that impressment was not necessary. It had been asserted that the sailors were themselves quite indifferent on the subject; in answer to which he would refer to the petition he had the honour that day of presenting to the House, from 805 sailors of North Shields, and the strong terms of reprobation which they used as to the system of impressment. As a proof, too, of the progressive advance which they were making in civilization, he begged to state, that out of the 805 subscribers to the petition, there were only thirty who made that mark which proved them to be incapable of writing. He trusted the time was fast approaching when the British sailors would be released from this cruel and degrading system—when proper inducements to voluntary enlistment would be employed—when promotion would be by merit, and when prize money would be more equally distributed. He believed it would be impossible to continue the system of impressment, that, indeed, it would be openly and generally resisted. A case for inquiry had certainly been established, and he could only repeat his expression of regret that the Government had not thought fit to grant the Committee which had been called for. He felt bound, from his view of the case, to support the Motion to the utmost of his ability.

Sir *James Graham* said, that in ordinary circumstances he might have been induced to request the hon. member for Sheffield to postpone his Motion; but, under present circumstances, as the hon. Member appeared to think that he had imposed on the hon. Member's courtesy last Session, by such a request, he could not think of again appealing to the forbearance of the hon. Member. Besides, he should not have deemed a postponement of the final decision of the question consistent with his duty, when he looked to the high importance of, and its intimate connexion with, the public weal; for there could be no doubt the question was one which particularly concerned us as a maritime nation. He was, therefore, anxious to answer the speech of the hon. Member, and he felt confident that the calm deliberation of the House would be given to a matter so deeply concerning the welfare of the people of the country of whom they were the representatives. There was no one point of the hon. Member's speech in which he more fully agreed with him than this—that every prerogative of the Crown was held for the benefit of the people, and unless the Representatives of the people felt satisfied that that prerogative was so exercised, they were not only entitled, but bound, to hold the advisers of the Crown responsible. He believed it was scarcely necessary for him to add that if his Majesty's Ministry, of which he formed a part, were not convinced that any one prerogative of the Crown was consistent with that welfare and those interests, they were not the persons who would advise the maintenance and enforcement of such a prerogative. The prerogative in question was one which, in a moment of public emergency, had been always considered to be eminently conducive to the public safety. The hon. member for Sheffield had, in the course of his speech to-night, appealed to his Majesty's Ministers, and to himself in particular, to do that which he said he firmly believed would render them extremely popular out of doors. Now, however desirous he and his colleagues were of doing that which was agreeable to the public, and however grateful they felt for the great and important support which, in their projects for the reform of abuses, and the amelioration of the condition of all classes in society, they had so happily experienced at the hands of the public, they were by no means disposed to make concessions to the desires of either classes or individuals which might endanger the real and best interests of society through an over eagerness to attain a fleeting and fugitive popularity. They were prepared to do fearlessly that which they conceived to be their duty upon their high responsibility, and to the best of their judgments, trenching as little as possible upon the rights of individuals in order to ensure the safety of the State. The hon. Member had stated that he had had interviews with a great many persons in the outports and in the north of England, who agreed in opinions which he had expressed, that the practice of recruiting the navy by Impressment was inexpedient and unnecessary. But though the hon. Member might have benefited by their opinion, he was bound to say, that the hon. Member had not adopted their language. He must praise the manner in which the hon. Member had brought forward his Motion this evening, when there were not wanting inducements to follow a course which might be more likely to excite popular feeling. He was bound to admit that the hon. Gentleman, in abstaining from topics of an inflammatory and exciting character in support of his Motion for adopting a different course, in cases of emergency, for manning his Majesty's navy, had offered some and no inconsiderable atonement for the excitement which the hon. Member according to report, had endeavored to raise elsewhere by his harangues on this very delicate but important exercise of the prerogative of the Crown. The language which the hon. Member had used out of doors, it was, however, fair to infer, had, in point of fact, occasioned no very marked expression of feeling on the part of the classes supposed to be most interested upon the subject of impressment. This inference he was authorised in making, in consequence of the silence of those who otherwise would have felt this a fit opportunity to cover the Table of the House with petitions upon that subject. It was always his opinion that the right of impressment was at once a question of great delicacy, and of vital importance to the public welfare. Had he thought that the hon. Member was very likely to obtain what he professed to seek through the instrumentality of a Committee he should have had little difficulty in agreeing to the Motion of the hon. Member. The hon. Member had asked if the House were competent to institute such an inquiry? Without questioning that right, but assuming that the House was properly competent to go into that inquiry, he would suggest to the hon. Member whether it would not be a better course, instead of going into a Committee, to inquire generally, and without some determinate object being pointed out to which its inquiries should be addressed, that the House should have a distinct and specific plan for remedying the evils complained of, as far as that object was safely attainable, and that a measure to attain all that was possible should be brought forward upon the responsibility of his Majesty's constitutional advisers? Having stated this much of the course which he thought might be advantageously pursued, and to which he should again refer, he should proceed to answer some points of the hon. Member's speech, which he felt ought not to pass without observation. The first of these was, perhaps, the most important, and that of which he felt he had the most right to complain as extremely unfair, and calculated to cast great odium in the eyes of superficial observers, upon the exercise of the right denounced by the hon. Member. He alluded to the comparison, and a highly injudicious and unjust one in his mind, and not essential to the hon. Member's argument which he had instituted between impressment and slavery. In instituting that comparison, the hon. Member had altogether overlooked what constituted a most important distinction between the things compared. It had, he believed, been always conceded that the great blot in slavery consisted in the labour of the slave being performed without remuneration. But the hon. Member had overlooked that, in the case of sailors impressed, they received equally remuneration in pay and allowances for their services as other men, who were volunteers, received. The next observation of the hon. Member which he felt it his duty to answer was, the allegation that the practice of impressment would be a general subject of complaint in the service, only that the sailors had not opportunities afforded them of meeting together in bodies, to represent their grievances. Now this he denied, for the House would recollect it had happened that the seamen had, on some occasions, actually met, in order to remonstrate or petition for redress of grievances. It was important that these assertions should be distinctly met and calmly and dispassionately argued. The most remarkable of these assemblies was that which took place at the Nore, at a period of our history deeply interesting to every well-wisher of his country, when the seamen, as a body, drew up a statement of their grievances; and though that statement or remonstrance consisted of eight or ten different topics or heads of complaint, the practice of impressment was not complained of by the seamen. The hon. Member had discussed at some length the question of the legality of impressment. In his exposition of what was the law as to impressment, the hon. Member had remarked that the observation of Sir Michael Foster had applied only to the special case then before him. He, however, was prepared to contend that the judgment of that learned Judge went at large into the question of the legality of impressment, and condensed in it all that which had formerly been law, as well as what were the opinions of lawyers in his day, upon the legality of the practice; and stated, in the first instance, that it had been, from the early periods of the monarchy, the undoubted prerogative of the Crown to recruit the navy by means of impressment in times of emergency; that the usage had since been uninterrupted down to the time at which the learned Judge spoke; that the usage had been confirmed by not less than thirty Statutes from the time of King William 3rd; that it was clear in law, that no right of the subject would stand on firmer ground than that of a right based upon custom, supported by concurrent Statutes recognizing the usage. The legality of this exercise of the prerogative was recognized by some of the highest constitutional authorities. Amongst others, Lord Chatham had, in his place, said, "that this was a prerogative of the Crown, and as such ought to be upheld, and never questioned." He certainly doubted, that this was the fittest tribunal to entertain and decide upon the legality of the practice founded on long usage. If those objects contemplated by the hon. Member were desirable, or there were any doubt as to the law on the subject, would it not be the better way for him to attempt to fix the law by some declaratory Act? The hon. Member had hazarded an assertion which he confessed struck him with surprise and astonishment, acquainted as he necessarily and officially was with the orders issued at the Admiralty—namely, that the practice of impressment had been resorted to lately in a time of profound peace; his astonishment was much increased when the case was quoted as having occurred in 1832, at the time of the Dutch embargo, when it was alleged the Admiralty had issued orders to impress men in the river, and that a ship had been sent round to Liverpool for the same purpose. Now, on these points, he assured the House the hon. Member was altogether misinformed, for there had been no such warrant issued in 1832, nor, indeed, had there been any such order since the peace in 1815. There had been found no difficulty during the whole of that period in obtaining volunteers to man the navy. He repeated the assertion; and the only reason for sending a vessel round to Liverpool was, to be ready to remove seamen who were willing from preference to quit the merchant service and enter the navy. An hon. Member, by his "hear," seemed to think this admission was triumphantly conclusive of the question as to the necessity for impressment. It would, perhaps, be so, if the subject were the broad and abstract question of the propriety of impressment. He was not arguing any such abstract question. He confessed he thought that impressment was amongst the greatest evils of a state of war, and should never be resorted to but on the greatest emergencies. The principal features of the hon. Member's plan for the improvement of the service, and substituting other motives for enlistment into the navy, consisted of four or five regulations:—Encouragement to serve by an increase of pay; encouragement to be given to seamen in the merchant service to enter the King's service; rewards for seamen proportioned to length of service, and faithful discharge of duty; service to be limited in duration; leave of absence to be given, and also aid to be afforded him in his emergencies. To show how amply the hon. Member had been anticipated in securing many of those objects to the British seaman, he must state what had been done since 1815 by the Board of Admiralty, and particularly what had been done since he presided at that Board, actuated as he was, by the conviction of the soundness of the principle, if it could be carried into effect, of avoiding altogether having recourse to compulsory enlistment into the navy. In the first place, the pay of the seaman had been actually increased by the altered value of money since the war, and our return to a metallic currency; and his wages had not only been thus positively increased, but, since 1825, they had been also nominally increased; so that now the difference between the pay of seamen in the King's ships and of merchant seamen, did not amount to more than an eighth, which the seamen were of opinion was more than compensated by the superior allowances they received on board of King's ships. The men had formerly been subjected to a deduction from the pay, called the King's sixpences, which was known no longer, and the profit on slops, delivered out by the purser, formerly very considerable, was now diminished to its minimum—that was so as merely to guard against loss. There had been a change very much to the advantage of veteran seamen made by the new pension regulations. Seamen, after twenty years' service, were entitled to pensions of from 10*d.* to 14*d.* *per diem.* To all persons injured or disabled, though for short services, pensions in similar proportions were given. He should now state what had been done by his Majesty's Government since he had last addressed the House on the subject, with a view to render the service more acceptable to the seamen. A considerable grievance of which the sailors had complained, and of which they might justly complain, was, the difficulty they had of obtaining a fair share of their pay, when out for perhaps two or three years, on a foreign station. The former Board of Admiralty had felt this to be a grievance, and had allowed the seamen in such cases, to draw 4*s.* per month, whilst abroad. He thought this allowance was still too little, and that, when a man had 40*l.* or 50*l.* owing to him, it was likely to beget dissatisfaction if he could not enjoy any of the little luxuries which might be procured on a foreign station; he had, therefore, arranged, that the seamen should be allowed to draw to the extent of 1*l.* per month, without at all interfering with the right of allotting, as was usual, to their wives or friends a portion of their pay. Thus the seaman abroad, if he wished to avail himself of this privilege, in both allotment and monthly allowance, would very nearly draw month by month the whole of his pay. Another subject in which improvement was to be effected, was prize money. The distribution of that had been, on consideration, deemed not so just and fair towards the able seaman as it should be, which had often proved, on the commencement of a war, an inducement to men to give a preference to, and enter on board of letters of marque. He had, as this was a very important and difficult matter of adjustment, thought it would be better that the adjustment should take place in a period of peace, when claims to share prizes were not likely to arise. In consequence, a proclamation fixing the right and the rate of seamen to share in prizes taken, had been lately prepared on quite a new scale, by which the seaman, who, on a capture of 10,000*l.* value, would have been only intitled to 5*l.* as his share, would in future be intitled to 15*l.*; and he had the pleasure to say this was done without any deduction being made from the shares of the officers of an inferior rank, but only from the formerly exorbitant and disproportionate shares of the Admirals. To meet the objections entertained against the service, and made in that House, and in order to render the service as attractive as possible, the practice of making his Majesty's ships serve as places of punishment and prisons for smugglers and offenders under the revenue laws, was to be done away; and a Bill was now in progress through that House, to carry that into effect. When the Ministers evinced such a disposition to attend to the subject, he put it to the House whether it might not with safety be left in their hands? It had been observed, that youths who had entered and served their time under a pennant, were sure never afterward to enter on board merchant ships, and were generally good seamen. It was considered proper, therefore, to make the King's ships a nursery for seamen; with this view a plan had been arranged for entering one thousand boys on board his Majesty's ships. He had already referred to that alteration on bringing forward the Navy Estimates. He believed that from this source the necessity of compulsory service would be considerably lessened; for after all that was said of the cruelty and hardships inflicted upon them, in ninety-nine cases out of every 100, where a boy had been in the King's service, he could never be induced to quit it for the merchants'. He would now proceed to offer some further reasons which he thought would convince the House that his Majesty's Government were not insensible to the principles which they had avowed on former Debates—that they were not content with the mere avowal of those principles—and further, that if the question which the hon. Member proposed to refer to a Committee without any definite objects were left in their hands, it would be much more likely to be so dealt with as to produce such practical results as would best satisfy the wishes of the country, as well as ensure the protection of its best interests. On a former occasion, he declared to the House his firm conviction that it was of the greatest importance to render not only the King's service acceptable to seafaring men; but as the merchants' service must be a principal source from which to transplant seamen as they should be required, it was most advisable to make that attractive also. In adherence to those opinions, and with those views, he had devoted himself during the recess, to the consideration of a Bill to consolidate and amend the whole of the laws relating to the merchant service. He intended to embrace in the provisions of that Bill a complete register of all the seafaring men throughout the United Kingdom. This was an object which had been deemed highly desirable by no less an authority than Lord Nelson. In a letter addressed by him to Lord St. Vincent in 1803, he recommended it, but, at the same time, Lord Nelson declared his opinion that, although a complete register should be established, yet that it would be necessary to retain the power of impressment, and that that compulsion might, and ought to be kept up. Upon that authority, he had endeavoured to frame his Bill, so that it would provide an efficient register, from which he hoped to supply the navy, but that, in case of necessity, the power of reverting to impressment should be retained. The Bill would provide that every seafaring man should be obliged to hold a certificate that he was upon the register; and the penalty of his not possessing it upon the breaking out of a war, would be, that he would be compelled to serve. Except in that case, and in the event of sickness breaking out when a ship was stationed at a colony or elsewhere, in which he did not see how the deficiencies could be filled up, otherwise than by impressment, he hoped that the register would supply a sufficient force for the navy. The ballot would be applied to the register in the same way as it was now for the militia. These were the objects which he had formerly professed, and which he now hoped to attain by the means he had stated to the House. The Ministers of the Crown were certainly determined to deal with the subject as cautious men should do, where interests so important were at stake. At present they possessed a power which certainly had been efficient for its purposes, whatever other objections there might be to it. After all that was said of the injurious influence of impressment upon the character of our seamen, the victories of Copenhagen, and Trafalgar, and the Nile, and all the most glorious deeds which had rendered our navies illustrious for all time, he would contend had been achieved by seamen, who, for the most part, had been provided for the service by impressment. The system of impressment was undoubtedly effectual, for it had been proved effectual. He did not believe that impressment alone would be effectual in manning our navy; but he asked the House, before they denounced the present system, that they would take into their consideration the assurance that had been given to the Board of Admiralty, by men of the greatest weight and experience in the service, that any substitution for impressment must, to be effectual in procuring a supply of seamen, be founded upon a system of registration; and he would, backed, as he felt himself, by such high recommendation and authority, ask the House to be permitted as a responsible member of the Administration and Minister of the Crown, to submit his plan in the shape of a Bill, the principle and details of which had occupied him for the greater part of the last six months, aided by the co-operation and experience of all those official and professional authorities which he, from his situation at the head of the Admiralty, could procure. The object of his Bill would be the consolidation and amendment of the laws relative to merchant seamen, and the registration of seafaring men in the ports of the United Kingdom. He had been informed by competent authorities, that this system would be found to work effectually, always reserving impressment as a means in the last resort. The provisions of this Bill would be various, perhaps requiring another Bill to complete all the objects he had in view. It would, in the first instance, contain a provision for binding to the merchant and King's service, as apprentices, such children as received parochial relief; it would, secondly, provide for a complete registration of merchant sailors in the ports of the United Kingdom, which would form the ground-work of the substitution of a mode of recruiting the navy other than by impressment; keeping impressment still as a reserve in the last resort. The third part of his measure would go to the encouragement and protection of the merchant service of Great Britain, and for the enforcement of the payment of their wages in ports abroad,—a most important object in itself. A fourth object would be to secure protection to the master in the discharge of his duty and the due subordination of the crew. This part of the Bill would also provide against a practice which he had reason to know was increasing, he meant the practice of masters leaving men on foreign stations utterly unprovided for, by which they were either driven to acts of piracy or left to be brought home at the public expense. If he were permitted to bring in a Bill grounded upon these objects, he thought the House by that course would be best carrying into effect the principles upon which the hon. Member had brought forward his Motion. When the Bill was before the House, he should have no objection to its being sent to a Committee up-stairs in order to be rendered as effectual as possible for the enforcement of those principles. Thus, he thought, they might, without throwing, as they were now requested to do, any discredit on the present system of having recourse to occasional impressment, obtain all the more desirable objects, and abolish all the evils of the British naval system. He assured the House he had, with great attention, and indeed considerable pain, discharged the arduous duty which thus had fallen upon him; convinced, as he was, that by following another course than that which he had the honour to recommend, they might do an irreparable injury to that service on whose discipline, spirit, and efficiency depended the safety and honour of this great empire. The right hon. Baronet concluded, by moving, as an amendment, "that leave be given to bring in a Bill to consolidate and amend the laws relative to the merchant service, and to keep up a registry of seafaring men throughout the United Kingdom."

Mr. *Robinson* supported the Motion. He asked whether the proposition for a Committee up stairs did not receive an inconceivable addition of force from the announcement of this measure on the part of the Government? He, however, was against any such measure being intrusted to one person, though, if it were to be given to any individual, none could be more worthy of that trust than the present First Lord of the Admiralty. The right hon. Gentleman had asked, "Would you take away from the Crown in times of great emergency this prerogative?" Now, he (Mr. Robinson) confessed, that he would not. Speaking from the knowledge which his long connexion with the commercial interest of the country had afforded him, and from the experience which he had on board various King's ships, he would say, that he entertained great doubts whether it would be expedient to take away from the Crown the exercise of this power in all cases and at all times. Did it follow, therefore, that matters should remain in the way they were, or even in the state in which, if the well-intentioned propositions of the First Lord of the Admiralty were carried into effect, they would still be left? One of the complaints which they had to make against this power was, that it was not exercised in times of great emergency, but that, being a power vested in the Crown, it might be and was exercised by every commissioned officer in the navy when it suited his caprice. Without at all wishing to say anything derogating from the merits of the navy, he must acknowledge, that his experience had shown him that this power had been not unfrequently exercised most harshly and most capriciously. It was true, that cases of this kind occurred more rarely at present, in the time of peace, than formerly; yet, was that any reason why the House should not interfere with the unconstitutional principle of the system itself, with a view to the prevention of wrong in the event of another war breaking out? The right hon. Baronet need not fear, that the House would take up this inquiry rashly, and upon theoretical principles, merely to destroy a power which could be shown to be practically necessary. The Committee now moved for, might probably determine that this power should be retained to the Crown; yet they might also, at the same time, propose such modifications in its application, as, without impairing its general efficacy in time of need, would render it less repulsive to the national feelings of the people. The right hon. Baronet had very truly said, that the naval service had lately lost very much of the disrepute formerly attached to it. It was true, that the Government and the officers themselves had done much to render the service as acceptable as possible to the sailors under their command, and remove the opprobrium which had been cast upon the profession; yet, notwithstanding all these laudable attempts at liberality, the service could never come fairly into favour as long as the present odious practice of impressment was continued. The right hon. Baronet had said, that, in consequence of the altered value of the currency, the sailors in his Majesty's service had now the same pay as in the merchant service. That was true in the time of peace, but in time of war the case was different; and he, therefore, thought the time of peace a favourable opportunity to inquire into the hardships which pressed upon his Majesty's servants in time of war. It was well known, that, although the pay in the two services was now pretty nearly equal, if a war were to break out, the pay in the merchant's service would immediately be increased four or five pounds per month, and the consequence would be the same, disinclination, on the part of the men, to enter his Majesty's navy as formerly. And it was very natural, too, that men should feel a distaste for a service into which they were not only compulsorily impressed, but at lower wages than they could get in another to which they were admitted by their own free-will and agreement. Under circumstances like these, the practice of forcible impressment was an unjustifiable interference, not only with the personal liberty of the subject, but also with his only property—his time and his labour. Another serious inconvenience in the time of war which deterred the sailor from the national navy was the indefinite period of his service in it. When a sailor was ordered upon a foreign expedition, whatever might be his natural disinclination against that particular destination, or against the officer who commanded, or the rest of the crew who worked the ship, there was no help for him; go he must. And very often it would happen, as in the late wars, that the whole of his life would be spent in this forced banishment. Another principal point upon which the naval service laboured under popular disrepute was the nature of the discipline which, it was alleged, the efficiency of the service demanded. Whatever might be his opinion upon this subject in principle, he was bound to state, that he had been, from time to time, in many of his Majesty's ships, and that, from all his own experience there, he had no reason to believe that the powers vested in the officers in command had been exerted with any undue severity. But he would relate one circumstance which had fallen within his own observation, and which was a striking instance of the hardships entailed on the seamen by this system of forced servitude. It occurred that when the fleet was at a foreign station, the admiral, fearing that desertion would be attempted, issued an order to the whole fleet to prevent any sailor from going ashore during the whole of their stay. Now, how could it be supposed, that such an excessive interference with the liberties and the enjoyments of the men could be tolerated with any degree of good-will on their part, or with any credit to the service? The right hon. Baronet said, he had devised means by which the grievances at present complained of might, one time or other, be alleviated, as by the use of ballot, or otherwise, though he was not very clear upon these points. But he hoped the House would not give its support to the amendments of that right hon. Member, which would totally defeat the object of the original Motion. The right hon. Baronet, doubtless, felt a little jealousy at an interference with him in matters which fell directly within his office, and he was, therefore, not the person whom he could expect to find voting for a Committee of this sort. He did entreat the House, however, not to be carried away by the plausible arguments of the right hon. Baronet, but to vote in favour of the Motion before them for the appointment of a Committee. The inquiry before such a Committee would, no doubt, be calculated to put matters in a train, so as to bring about that result which the Government, upon principle, were anxious to effect. If, on the contrary, the House should consent to the Motion of the right hon. Baronet, it would leave the question of impressment, and all the objections that applied to it, precisely in the same situation as before. All that the House was now called upon to do was, to express a general opinion that the time was arrived when, not that impressment should be abolished, but when a case was made out for inquiry, in order to see whether it could not be superseded by a better system for manning the navy. This system of impressment, as he had already said, while it imposed a severe tax on the merchant service in the time of war, by rendering it necessary to increase the wages of merchant seamen, rendered it proportionably difficult for the Admiralty to man the navy then. The sentiments which had been expressed by the right hon. Baronet did him great honour, in reference to that service over which he so ably and honourably presided; but he must contend, that there was no excuse left for the House not to take the step which was now proposed.

Sir *Edward Codrington* said, he would support the Motion, not only on account of the use made of impressment, but on account of the abuses which arose out of the system. The use of it he considered not at all consistent with the liberty of the subject. Sailors had a right to be put upon the same footing as the rest of his Majesty's subjects. His objection was not to the leaving such a power in the hands of the Crown; his objection was this,—that sailors alone, of all the subjects of the King, should be exposed to the exercise of this tyrannical power. He would just give the House an instance of the extreme hardship and injustice arising out of this system of impressment. A man who had been originally pressed served with him (Sir E. Codrington) for eight or nine years; he discharged his duty during that time in the most reputable manner possible, and, at the expiration of that period, from motives that would do honour to human nature,—namely, from a desire to support an aged father and mother,—he applied for his discharge, and offered eighty guineas to obtain it. It was refused him. Now, he really thought, that if this power of impressment were not to be used, some equivalent remuneration must be given to the seamen for services which were so imperatively demanded. In the army it was so. A man in a smock-frock got sixteen guineas to enlist as a soldier; and if a seaman was wanted by the State, why should he not be equally well rewarded? His conviction was, that if the men were not, in consequence of the existence of impressment, treated with a certain degree of harshness on board men-of-war, they would much rather enter the navy than the merchant service. He was certain, that such would be the case, provided they were allowed the indulgence which was given to them on board merchant ships, of going on shore. The restrictions and comparatively harsh treatment to which they were subjected on board men-of-war were attributable to the existence of impressment. The work which seamen had to do in merchant vessels was double that which they had to do on board men-of-war; but then they had on board merchantmen the opportunity of going on shore and visiting their families, which, often in the navy, particularly in ships where the crews had been impressed, was denied them. The hon. Member who had last spoken, had spoken of the hardship of preventing the men from going ashore at a foreign station. He was, however, prepared to maintain, that seamen had been sent abroad on purpose to prevent them from deserting. The poor fellows had been in the constant habit of communicating with their families, and had constant temptations to return to them, and they were sent abroad on purpose to cut them off from these domestic ties. As to the odium and other evil consequences produced by our system of impressment amongst foreigners, he would just mention an instance bearing out the statement on that point of the hon. Member who had brought forward this Motion. At the battle of Trafalgar, the primest seaman which he (Sir E. Codrington) had on board his ship was an impressed American. He had been taken out of an American ship, on the pretence that he was a British subject, brought to England, and thence transmitted to him amongst other impressed seamen. On account of his admirable conduct in the battle, he (Sir E. Codrington) made him a warrant-officer. He afterwards told him that he would be glad to remain in the English service, but that he had a wife and family in America, whom he had not seen for many years. This seaman, like many others, had been kept in ships stationed abroad, in order to prevent them, having been originally impressed, from getting their discharge. That was but an instance of the odium which the maintenance of this system got us into with foreigners. The system was extended to forcing those who were known by the name of "civil-power men" on board ships of war. Such persons were, in other words, the rogues and vagabonds of the country; and while they were utterly useless as effective men, they did much to contaminate the rest of the crew. He recollected having twenty-seven such men forced on him. He went to the Admiralty to remonstrate on the subject, but he was there told that he must take them to make up his ship's complement. He was not ashamed to own it, that in proceeding to sea he took the first opportunity that offered to man the boats with these fellows and let them run away, thus getting rid of a parcel of vagabonds. The naval service should not in this manner be made a vent for the common gaols of the country. Then as to the pay of the navy, he begged to say that whenever the question of the paper currency should be discussed, he would be prepared to show that during a great part of the late war the navy had been paid 6*s.* in the pound less than it was entitled to, and he should then claim for the navy that 6*s.* in the pound. The manner in which it had occurred was this — the ships with impressed men on board were ordered abroad, and when they got to Gibraltar, on getting their pay, the sailors received only 14*s.* for the pound, in dollars. He recollected an instance where, under such circumstances, the whole ship's company came to him on the quarter-deck to complain of such treatment. He must acknowledge, that in that instance he practised a little piece of imposition upon them, for he feared the consequences should he act the part of agitator. He asked the steward what was the nature of the complaint? His reply was, that they only gave him 14*s.* in dollars for the pound. He (Sir Edward Codrington) said in answer "What scoundrels they must be! But you know we are all treated in the same manner." The result was that they went away satisfied. Now if he had acted the part of agitator, and had said that this was a robbery on the part of the Government, he should probably have caused a mutiny in the fleet. To return to the subject of impressment, he (Sir Edward Codrington) had never had the honour, had never impressed a man in the whole course of his service, and he never would have an impressed man in his ship if he could help it. The practice was held in such horror by those whose calling subjected them to it, that they were known to submit to all sorts of privations and tortures to avoid it; frequent cases having occurred of men being headed up in casks, and so shipped away from the reach of his Majesty's officers. He would further state that when the fleet was at Gibraltar, during the war, several soldiers joined the ships who had been originally seamen, who had been driven from that profession by the fear of impressment, and who afterwards finding the life of a soldier unsuitable to their habits, were allowed to exchange into the navy. Could there be any thing more cruel than the practice which prevailed in times of impressment?

It was well known that in the river or the Downs, whenever a fleet of traders came in from the South Seas, or elsewhere, the boats of the navy were manned, went on board, and took all the men out of those ships, which they then sent up the river under a convoy of their own. These men whom they so impressed, returning as they did from a long voyage, were again sent abroad, without being so much as allowed to go once on shore to see their friends. Such practices as these could not but lead to disaffection and mutiny, of which some memorable instances were recorded in our own times. It was not to be supposed that the famous mutiny of the fleet at the Nore was got up by the regular seamen. It was first planned and set a-going by fellows who had not any pretensions to the title of seamen—" the civil power men"—the scum of the earth. These were the concoctors of the mutiny, who afterwards forced the real sailors to join with them, by means of tyranny and intimidation worse than that they themselves complained of. The House would now, perhaps, allow him to state his opinion upon the subject of corporal punishments. When that question in respect to the army, had been brought before the House, he had felt it his duty to oppose the abolition of that practice. It was not with any view of keeping up his own authority, for he thought that it could not be felt otherwise than as a degrading and unpleasant task for an officer and a gentleman when obliged to enforce it. All he would say was, that he should be glad if any one would tell him what other method of discipline, what other more agreeable punishment, could be adopted in its stead? There was no black hole in the ship; and he knew enough of the feelings of the men to assure the House that they did not view with any relish, the schemes of commuted punishment which had sometimes been proposed in their behalf. But the fact was, that a good regular seaman was never punished; they never had occasion to punish them; it was the civil power men, the scum of the earth, to whom he alluded before, who came in for this. This was another of the cruel features of the service that arose entirely from the system of impressment. At the end of the war, when the ships were in the Downs, it had been found necessary to give up the plan of lowering a sail into the water to make a kind of swimming-bath by the side of the ships, lest the men should swim ashore, thus depriving the whole body of a very reasonable source of enjoyment. It had been urged by the advocates of the present system, that the very men who had been impressed themselves would be found assisting to impress others. This certainly did appear extraordinary; yet those very men would afterwards, when the occasion offered, desert with the very men they had assisted to impress. Looking at the question in all its bearings, he must say, that he thought some plan might be devised to rid the service of much of the cruelty and odium now attached to it, taking care still to leave his Majesty the power of using his extraordinary prerogative in case of extraordinary necessity. He should therefore conclude by giving his cordial support to the Motion before the House.

Captain *Elliot* rose to offer a few remarks to the House, in consequence of what had fallen from the hon. mover, and in consequence of some errors into which he had been led, both on the present and on the former occasion, when he had brought this question under the consideration of Parliament. On a former occasion that hon. Member had drawn a most affecting picture of the injustice and inhumanity of impressment. He had proved himself a great artist in the picture he then drew, but he had taken the liberty of an artist in colouring that picture for effect. He was sure of this, that no commander could keep his ship effective in time of war, and with the requisite number of men, without the aid of impressment. He did not mean to say, that a better system might not be substituted, but as matters stood at present, it was impossible to keep a ship's company in time of war, effective, without the aid of impressment. It was stated on the other hand, by the hon. mover, that Lord Exmouth did, without the assistance of impressment, and the gallant Admiral opposite had also told them that he had kept up his ship's number without it.

Sir *Edward Codrington* begged to explain, that what he had said was, that he had not impressed men. . He did not say that he had not received impressed men on board.

Captain *Elliot* said, he would just refer to the returns as to the ships commanded by the gallant Admiral, in order to show the House how far the gallant Admiral had done without the aid of impressment. The number of men impressed by the ship first commanded by the gallant Admiral in the course of the war was certainly only seven. She was commanded by him for two years and a half, and during that time she received 616 men on board from other ships. She obtained only five volunteers during that period, and seven men who had been impressed, deserted. There were therefore 609 men serving on board the gallant Admiral's ship who had been forced to serve there from the receiving ships. Now, if every officer in the service had followed the example of the gallant Admiral, and had not impressed, what would the gallant Admiral have done for men to man his ship? He for one did not follow such an example. He thought it his duty to do as the other officers in the service did, and he did not throw himself on other ships for supplying men to keep his own in an effective state. Then as to the case of Lord Exmouth. He had been employed as Captain Pellew during the peace, before the breaking out of the revolutionary war. He commanded a frigate at the time, and there was not a man on board impressed, as of course then, as now, impressment was not practised in time of peace. That vessel continued under his command for ten months after the breaking out of the war. Now, the hon. member for Sheffield, amongst the other evil effects which he attributed to impressment, had stated that it was the cause of great desertion from the ships in his Majesty's service. Out of this ship, commanded by Captain Pellew for ten months, with a volunteer crew, fifty-one men deserted, being an average of one man in three and a-half during that time. He would follow Lord Exmouth to another ship—the next he commanded,—the Indefatigable. The ship's company then was composed of one-half volunteers and one-half impressed men, and the desertion in it was only one man in nine. The next ship his Lordship commanded, was manned entirely by impressed men; he commanded her for three years, and during that time the desertion from her was only one man in fifty. Those facts, he thought, furnished satisfactory proofs that desertion did not depend on the circumstance whether the men were impressed or volunteers, for here was the same officer, going on with the same course of discipline, and the desertion was found to decrease in proportion to the increase in the number of impressed men in the ship's company. He (Captain Elliot) had, whenever he wanted men, impressed them whenever and wherever he could, as he conceived that his first and paramount duty was to keep his ship effectively manned. He repeated that he never hesitated to exercise that power when he could not get volunteers. He would add, that he had never hesitated, when he thought the good of the service required it, to inflict corporal punishment. He commanded a ship for five years, from 1807 to 1812, with a complement of 280 men, all of whom had been impressed. In Captain Pellew's ship, with a company consisting entirely of volunteers, the desertion was one man in three; and in his (Captain Elliot's) it was one man in seventy-one. That was a clear proof that desertion did not depend on impressment. Captain Pellew, in the Nymphe, the first ship he commanded, received, in the course of ten months, ninety-five men in forced service, in order to keep up his complement; in his next ship he received 341 men from the receiving ship; and in his third ship he received 126 men who had been impressed, and twenty-six who volunteered. These facts proved that if his Lordship had been left to man his ship with volunteers, it would have been impossible for him to do so. In his (Captain Elliot's) ship, during the period he commanded her, he received 150 men to keep up his complement; but he would not lead the House to suppose that they were all impressed men, for they volunteered afterwards, as they had no other alternative left them. Those who so volunteered got *5l.* each as a premium or reward for doing so. He felt satisfied that the merchant service would be amongst the first to complain if the system was abrogated. Indeed it was a circumstance not to be denied, that seamen had never made any allusion to the impressment as a ground of complaint, but had merely desired that the Legislature should place pressed men in the same situation in every respect as volunteers. He repeated that he had never known the navy to complain of impressment or of corporal punishment, but, on the contrary, their complaints had been confined solely to the abuse of the power of carrying into effect the administering and inflicting both. He would instance the case of the mutiny at the Nore, during which the mutineers never dreamt, though impressment was then very much in vogue, to make it one of the causes of their mutiny. He was happy also to add that every complaint then made, and every grievance at that period complained of, had since been remedied or removed. He could not avoid, also, reminding the House, that there was no country in Europe which did not pursue the same plan of manning their ships. Certainly he admitted, that if hon. Gentlemen would go to America, they would find quite a different state of things in this respect; but in Europe such was the practice. In Spain for instance, and especially in Holland, where, though there was no power to press a man for the navy, yet the government had power to press for soldiers, and then give the pressed men the choice to go on board ship as a sailor, in preference to serving in a military capacity. In Russia, also, the power was retained of pressing whole hordes, and by these means alone was the naval service of that nation filled up. With reference to the case of impressment which had been stated to have occurred in Liverpool, he could state that so far from impressment, the full complement of men had been made up by volunteers without bounty. He should not detain the House further than to express his strong feeling that the navy of this country could ever be manned by volunteers, but he was satisfied, that on an emergency, a very great force might be wanted within a very short period of time, and that, without the power of impressment, it would be very difficult to get such a force collected.

Colonel *Torrens* said, that from the clear statement and the promises made by the First Lord of the Admiralty, he was sure that the impressment would be rendered unnecessary, and that the power granted by the present harsh Act would lie dormant. The object was to prevent cruelty, consistently with the preservation of an effective naval force. Both, he thought, could be done by the proposition of the noble Lord. With this impression upon his mind, he was decidedly of opinion that the power to impress seamen for the naval service could be most properly retained in the hands of Government with perfect safety to the community and with advantage to the nation. He would support the Amendment.

Mr. *Warre* said, so strong were his feelings on the subject of impressment, that if the Motion of the hon. member for Sheffield were to stand or fall by its own merits, in place of being met, as it was, by the First Lord of the Admiralty, he would certainly give it his cordial support. But, after the statement made by the right hon. Baronet, he hoped the House would accede to his proposition, as he (Mr. Warre) thought that the original Motion would be rendered unnecessary. He concurred in most of what the hon. Member (Mr. Buckingham) said, as to the cruelty and the injustice of dragging innocent men from their homes to be forced on board King's ships, and the impolicy of keeping up such a system; and he especially concurred with him in his statement that, if we were involved in war to-morrow, while the impressment continued in operation, the feelings of the people would become changed about the navy as they were about other institutions; and that was a state of things that was much to be deprecated. It was not from any indifference about the subject, but from having heard and weighed the arguments advanced, that he came to the conclusion that the object of the hon. Member would be gained without pressing his Motion. The hon. Member declared his intention of supporting the Amendment.

Mr. *Ingham* wished to ask the right hon. Baronet, whether it were intended by the Government to introduce a clause in the projected Bill of Registration rendering it legal to man the navy with those included in the registration in case a sufficient number of volunteers could not be procured?

Sir *James Graham* said, that, in the Bill which it was intended to introduce, no provision would be made for regulating the wages of those engaged in the merchant service. Secondly, that the Bill would be exclusively limited to simple registration. For the last century the imperfect state of the registration was complained of, and efforts were made to complete it. He (Sir J. Graham) would not say, that he had an entire confidence in his own powers. But, from the inquiries he made, the attention he paid to the subject, and the assistance he attained, he trusted that his registration would be a complete one.

Admiral *Fleming* said, he came to the

House to listen dispassionately to the statement of the hon. Member, (Mr. Buckingham), and he would say that that statement had made an impression on him. As he was no advocate for impressment, he would be glad that a safe and radical scheme was adopted for removing the evils that attended it. And, after the statement of the First Lord of the Admiralty, he thought that a safe and gradual scheme for manning the navy could be resorted to without impressment. He would support the Amendment.

Mr. *Lyall* concurred in most of the statements of the member for Sheffield. He thought it was proved that there existed generally a strong reluctance in men to join the navy. That reluctance to any connexion with the service existed not only before impressment, but even after. Impressment was not calculated to make the service palatable. To show how unwilling men who were forced into the navy were to remain in it, he would mention that there were 15,000 deserters in two years during the war. Now, if a system that caused such repugnance to the service and so much desertion were not corrected in time of peace, what, he would ask, would be the state of our Colonies during war, when they required protection? But it was not alone the navy or the Colonies that would be injured: the mercantile interest of the country, which stood in need of protection on the seas, would also suffer. The merchant service would require more men during the war than in peace. At all times, whether in peace or war, the same preference would be given to the merchant service over the King's service, and, of course, greater facilities would be afforded for supplying it with hands. Merchantmen possessed many advantages and offered indulgences to sailors which, on board ships of war, they could not enjoy. They were allowed more wages, were under less rigid discipline, and could oftener get on shore and return home; young and old could in a few months return to their families, and bring back their earnings. Such being the case, the repugnance to the King's service would still continue. And he (Mr. Lyall) thought that it would be highly desirable to remove it. He was not sure that registration would effect that object. Registration was impressment under a different name. It would not prevent the necessity of impressment. He had consulted several authorities of high legal character, and from the opinions they gave, he had no doubt that impressment was legal. In order, then, to meet the evils of repugnance to the naval service, and of an inefficient force in time of war, he (Mr. Lyall) thought the best course was to make preparation in time, and increase the navy during peace. If war broke out, the country would want about 100,000 men. He contended, that not less than from 120,000 to 150,000 men would be of any use during war to protect all our mercantile interests; and surely those interests were not to be neglected by such a nation as England. There was no remedy for the evil complained of but to increase our naval force in time of peace; for then would the country be best prepared for the time of war—otherwise impressment should be adopted—a system that was justified by necessity and immemorial usage.

Mr. *Hume* was prepared to contend, that the services of seamen were to be bought as well as the services of any other class of men; but it was most unjust to expect that men who could get *5l.* for their wages in the merchant service should serve for a less remuneration in the navy of the nation. He demanded for the British sailor equal treatment with that of a fellow-countryman in the merchant service, and on these grounds alone he hoped the Government would not object to a Select Committee being appointed to go into a full and complete inquiry into the subject, with a view to the removal of the difficulties, grievances, and hardships to which the sailor was exposed. The hon. Gentleman opposite (Captain Elliott) had defended the system of impressment, and had boasted that during the war the navy had been manned almost solely by the means which that system had afforded; but, said the hon. Member, "Good God! now that we are on terms of peace, are we not to look, inquire, and ascertain how far the evils of that system can be remedied?" The right hon. Gentleman ought to have been prepared distinctly to say whether or not it was fit that such an inquiry should be entered upon, and not have met the question by that sort of mere parliamentary trick which was only resorted to when difficulties arose, and when the Administration were not prepared to state the course which was deemed advisable to pursue. After the answer which had been given to the Motion of the hon. member for Sheffield by the Government on this occasion, it was evident—and it would be so held by seamen—that the proposed plan of registration was only calculated to catch them more securely, and would only serve to make the evil greater and the system still more unpopular. He (Mr. Hume) was not prepared to say, that impressment was a prerogative to be exercised by the Government; but, if exercised at all, it should only be so in times of emergency, difficulty, and danger; and it was a duty befitting the Legislature to shield and guard so meritorious a class of the subjects of the realm from so great a grievance falling too harshly and severely upon them. He could bring forward men who had been forty years in the service, who neither sought nor had they any wish to do away with the system of impressment; indeed he had been told within the last few days by a man who had served eighteen years in the service, and had been as many years in merchant ships, that as the country must be protected, and as ships must be manned for that purpose, impressment was necessary; but his informant had added, "Let impressment be understood to take place under a fixed law, let it be legalized under the authority of Parliament, and let the period of service be fixed and established by the Legislature, and then if I or any other man should be pressed" [*laughter*]—That laugh was most childish, and utterly unworthy of men. He spoke in the language of his informant, who had proceeded to observe, that if he or any other man was pressed on an emergency such as would warrant such a proceeding, the period of service should be fixed and limited, and in case of those limits being exceeded, a provision should be made for a recompense in the way of increased wages until the Government should be enabled to find means to relieve those whose period of service had expired. Nothing could be more fair or reasonable than such a proposition, and, as a means to carry it into effect, he fully concurred in the Motion of the hon. member for Sheffield, and in doing so he must also add his expression of regret that any man could be found who would refuse to accede to so fair, just, and equitable a course.

Captain *Elliott* denied, that he had prided himself upon the fact that the British navy had been manned during the war by impressment. So far from entertaining any such feeling as had been attributed to him by the hon. member for Middlesex, he had ever regretted that impressment had not been confined to cases of great emergency, instead of being resorted to as a general practice.

Lord *Althorp* said, that it must be satisfactory to the House that the Motion of the hon. member for Sheffield had been so fully and fairly discussed. Without entering into the various topics which had been introduced during the discussion, he must remind the House, that the present Motion was not a Motion for the abolition of the system of impressment, for, on the contrary, every hon. Gentleman who had spoken upon the subject, had admitted that the system was necessary to the effective service of the State; but was merely for the appointment of a Select Committee to inquire whether any means could be devised and adopted to mitigate the evils attributed to the present plan, and to make the naval service of the nation more popular by rendering instances of impressment more rare than at present. His right hon. friend at the head of the Admiralty had stated, that he was himself already proceeding in the same course as that suggested by the hon. member for Sheffield. His right hon. friend had also stated several measures which he had adopted, and which it was admitted were well calculated to increase the popularity of the naval service. What possible good could ensue from abolishing the system of impressment, until the proposed registration was proved to be an efficient measure? Would it not rather be an instance of most improvident legislation to destroy one source of obtaining men for the service of the navy before another could be tried and adopted? The Government had in preparation measures intended gradually to effect the object which it was now attempted, most unwisely, to attain by one step; yet hon. Members came down to the House, asked for a Committee of Inquiry, and took the measure out of the hands of Ministers, when it was in the proper train for arriving at eventual success. More than one hon. Member, however, had stated, in the course of the debate, that when he came down to the House he had entered it with the intention of voting in favour of the Motion, but that the clear statement of his right hon. friend had been so perfectly satisfactory that he had determined to vote for the Amendment. The hon. member for Middlesex, indeed, called this Amendment a trick; but in what sense that Amendment could be called a trick, he was at a loss to conceive. Ministers proposed an alteration in the present system of manning the navy, but till that alteration was carried into effect, he was prepared to show that impressment, though an evil, was a necessary evil. The hon. Member who seconded the Motion had said, that it was not a necessary evil. [Mr. *G. Young:* I said it might be a necessary evil.] Well, he would ask the hon. Member, who was a gentleman with extensive mercantile connexions, whether he would feel very comfortable, in time of war, when the ships of an enemy covered the ocean, if this power were not for the present, at least, vested in the Government? He admitted this power ought only to be exercised on occasions of strong necessity; but when that necessity was felt, how would the country feel without a maritime force properly manned? Before a fleet could be got ready for sea, the prisons of the enemy would be filled with the sailors of merchant-men. The hon. member for Worcester had truly stated that this question referred to times of war as well as peace; and as he admitted that the high wages offered in time of war by merchant-men tempted sailors to enter on board them instead of the royal navy, he thought that a stronger argument could not be employed to prove that some degree of compulsory service was necessary. The power of enforcing such service might certainly be better exercised than it was at present. The period, too, of general service might be limited, and certain classes of seamen might be taken for a limited time. He thought much good would result from the intended mode of registration; and he hoped the House would give that confidence to his right hon. friend which his proposition so well deserved, and the Government credit for pursuing the course best adapted to carry their intentions into effect.

Mr. *Buckingham*, in reply, said, that as the House had already extended to him their unbroken attention during his first address, and must by this time consider the subject nearly exhausted, he should trespass but a few minutes only on their time. As, however, he was anxious to avoid the imputation of factious motives in persisting to divide the House on his original Motion, he would frankly say, that if the amendment of the right hon. Baronet had in any way met the case, he would have yielded to him without hesitation. But it went altogether wide of the mark; and this he thought he should be able to show—so as to justify his perseverance in asking the House to grant the Committee required. The right hon. Baronet had done him the kindness to compliment him upon his opening speech, and to praise it for the talent and discretion which he was pleased to say it displayed. He contrasted this, however, with the tone of certain speeches delivered by him elsewhere, and thought the present an atonement for past indiscretions. He thanked the right hon. Baronet for thus reminding him of what might otherwise have escaped his recollection, namely, that there was a still wider contrast between the speeches of the right hon. Gentleman delivered to his former constituents at Hull, when a candidate for the representation of that seaport town, and his speeches as First Lord of the Admiralty. In his latter capacity he had defended the practice of impressment, both in the last Session and the present; while, in his former capacity, he had denounced the system as cruel and unjustifiable; and obtained great popularity among the electors of Hull as its determined enemy. [Sir *James Graham* intimated, that the hon. Member had been misinformed.] Such was the statement which he had himself repeatedly heard from the electors of Hull themselves: and if a total difference of principle should mark the speech of any hon. Member in different situations, it was rather extraordinary that such hon. Member should complain of a mere difference of tone in the speeches of another. He would come, however, to the main points of the debate. The first Lord of the Admiralty had proposed a Registration of the Merchant Seamen of England, which was to be compulsory, or at least to subject to certain disabilities those who did not act upon it. Now, if this were to be preceded or accompanied by a distinct declaration, that impressment was not to be resorted to but in extreme cases of invasion or insurrection, and then under an Order in Council, for a limited time, and with adequate pay, he should not object to such a Bill as a first step to improvement: or if it had been accompanied with an admission, that when the registry was complete, some plan of service by rotation or ballot, was to be substituted for impressment, he would have consented to its adoption. But as the right hon. Baronet had admitted, that neither of these provisions were to be embraced by the Bill, he was quite certain that the seamen of England would consider such a registry as calculated only to facilitate their seizure whenever impressment should be resorted to: and, under this feeling, not 1,000 men in all England would be found to register themselves, They would regard it as a mere snare to entrap them into a description of their names, ages, and places of abode, that they might be the more readily found when the press-gangs were sent in their pursuit. A striking proof that this proposed registry would not abate impressment in its most oppressive form, was this: that the First Lord of the Admiralty admitted it was not intended to abate in any degree the power of impressment on foreign stations, where it must be allowed to exist in full force. The right hon. Baronet had said, that, in the event of ships of war losing men by battle, or disease, on foreign stations, they must be allowed to supply their losses by impressing the first men they could find; and it was asked, how could they otherwise repair their crews? This question might, he thought, be well answered by asking another—namely, this: Supposing a ship of war to be disabled on a foreign station, by losing her masts, yards, anchors, or cables, how was she to repair her loss? Certainly not by seizing those indispensable requisites from the first merchant ship she meets, nor by robbing them from the first dock-yard she can find; but by honest payment of the fair market value of these supplies, to the parties who furnished them. Would the House sanction the monstrous doctrine, that it was dishonest to steal by force the materials for repairing a ship's hull or rigging, without paying their full value; but that it was legal and just to rob as many men as could be found—to deprive them of their liberty—to rob them of the value of their only property—their skill and labour; and to punish them with torture if they dared to refuse. No! If the merchant service is in need of men, they cannot seize them by force, under the plea that the national commerce must be maintained; neither should the King's Navy be thus supplied, on the plea that the national defence must be unimpaired. If the navy must be kept up for defence, commerce must be sustained to pay the cost; but let both bear their fair share of the burthen, be it what it may; and for himself he believed there was too strong a sense of honesty and justice in the nation, to refuse to seamen their full remuneration for their services, which all other classes asserted and enjoyed their right to command. This power of impressing abroad surely could not be defended, on the ground of the King's prerogative. That was expressly restricted to the manning the fleet in times of danger, and only in the narrow seas:—that is, in the channels around the island, where defence against invasion would have to be made. But if impressment were to be allowed on all our foreign stations and colonial possessions abroad, this would embrace nearly half the globe; so that every single commander, whether of a line-of-battle ship, or a cutter, would, without any delegation of the King's prerogative—without a press-warrant—without any authority in short but his individual caprice,—be enabled, whenever he thought proper, to press any number of men out of any ship he met, and be accountable to no authority for any such abuse of his power. The First Lord of the Admiralty had himself, however, furnished the strongest reasons to show that impressment would in future be wholly unnecessary, and that therefore it might be safely abolished. He rejoiced at the improvements which had already been introduced into the naval service; he was glad to find that still more improvement was to follow; and if, as was alleged, the wages of the navy were already nearly equal to that of the merchant service, and the treatment better, was it not an ill compliment to themselves, for the Ministers to suppose, that, with this superiority of attraction, his Majesty's ships could not obtain men? Why, was it not notorious that privateers, where all the dangers of war, and very many inconveniences not suffered in the navy, were to be endured, could get men in large numbers at any time by voluntary enlistment? Nay, that Don Pedro, or Don Miguel, or any other person in want of seamen to fight their battles, might ship as many men as they wished in the Thames and the Mersey without impressment? These were matters of universal notoriety; and it was an insult to the King's service to suppose that, if the same system of fair bounty, limited time, and adequate wages were tried, men could not be as readily obtained for his Majesty's fleet, as for the squadrons of any other warlike power. The truth was, that seamen generally, so far from disliking danger, rather courted it. A voyage of entire fair weather, unrelieved by any incident or adventure, was to them tame and tiresome. They liked an occasional struggle, either in the battle or the breeze; and would generally prefer the hazardous and the enterprising, to the dull regularity of an unvaried round of safety and peace. But though they had no aversion to danger, they abhorred being dragged into it by coercion. Only remove this, and leave it to their own free wills, and the seamen of England would never be found backward to serve their country, at the peril of their lives, whenever their services were required. The hon. Secretary to the Admiralty (Captain Elliott) had paid him (Mr. Buckingham) the high compliment, for so he considered it, of replying in detail to the speech delivered by him on this question a year ago—to this he had no objection — he only regretted that the pledge under which he felt himself bound to the House to be very brief in his reply, prevented his following the hon. Secretary so closely as he could wish. Judging from the speech of the gallant Officer, he should say, that if his views were correct,—that volunteers were more likely to desert than pressed men, the House ought to pass a resolution declaring, that no volunteers should ever be received, since they were so liable to desert, but that pressed men, and pressed men only, should be employed. There was an important omission, however, in the gallant Captain's statement, respecting the comparative desertions of volunteers and pressed men. He did not explain the different circumstances under which the ships or their crews were placed in either of the cases—so that there might be other causes for their deserting in one instance and remaining in another, besides that of their being volunteers or impressed men. If the argument of the hon. Secretary were worth anything, however, it would go to prove that forced service was more agreeable than voluntary, and therefore ought to be resorted to in all cases. The gallant Captain asserted, indeed, that King's ships could not be manned by volunteers, and added that all the civilized nations of Europe adopted some system of impressment or other to man their fleets: none but the Americans being able to equip their ships of war without. This contrast was unfortunate, however, for the gallant Officer's case, for the superiority of the American navy, manned wholly by volunteers, to all the navies of the old countries of Europe manned by impressment, was as striking a proof as could be cited, of the superiority of the free system to that of compulsory. But it was sufficient for him, he thought, to appeal to the good sense of the House, and to ask hon. Members, whether any serious argument had been offered against going into a Committee of Inquiry at least. The Bill proposed as an Amendment might be a very good Bill for effecting its particular object, to register the seamen of the mercantile marine, but it had nothing whatever to do with the subject of impressment, except, indeed, to make it more easy to press seamen than before; for the hon. Secretary to the Admiralty had admitted that registration was only impressment in another form; and undoubtedly, unless accompanied with the limitations of that power which the First Lord of the Admiralty was unwilling to admit, it would be so received by the seamen of England generally. But while officers, who had passed their lives in the service entertained such opposite opinions as they had heard that evening, while great doubt existed as to the legality, and still more as to the efficiency of the practice, he could not conceive a stronger case for a Committee of Inquiry at least, before which the conflicting evidence would be sifted, in which the right hon. Baronet's Bill might be considered, and the result of the whole reported to the House. In the name, then, of the seamen of England, and of the large body of landsmen who, as their fellow subjects had sympathised with their wrongs and petitioned on their behalf, he intreated the House to yield to the justice of their claims, and grant him the Committee of Inquiry.

The House divided on the original Motion—Ayes 130; Noes 218: Majority 88.

List of the AYES.

ENGLAND.

Adams, E. H.

Aglionby, H. A.

Anson, Hon. G.

Attwood, T.

Baillie, J. E.

Bainbridge, E. T.

Baines, E.

Barnard, E. G.

Beauclerk, Major E.

Bewes, T.
Bish, T.
Briscoe, J. I.
Brodie, B.
Brotherton, J.
Bulwer, E. L.
Bulwer, H. L.
Chaytor, Sir W.
Chichester, J. P. B.
Clay, W.
Clive, E. B.
Codrington, Sir E.
Collier, J.
Curteis, H. B.
Curteis, Capt. E. B.
Davies, Colonel
Dawson, E.
Dundas, Hon. J. C.
Ellis, W.
Evans, W.
Ewart, W.
Faithfull, G.
Fancourt, Major
Fort, J.
Fenton, J.
Fielden, J.
Gaskell, D.
Grote, G.
Gully, J.
Halcomb, J.
Hall, B.
Hardy, J.
Harland, W. C.
Harvey, D. W.
Hawes, B.
Hawkins, J. H.
Hughes, H.
Humphrey, J.
Hurst, R. H.
Hutt, W.
Ingham, R.
Jervis, J.
Kemp, T.
Kennedy, J.
Lambton, Hon. E.
Langdale, Hon. C.
Lennox, Lord W.
Lester, B. L.
Lister, E.
Lloyd, J.
Lushington, Dr.
Marryat, J.
Marsland, T.
Mills, J.
Morrison, J.
Ord, W. H.
Parrott, J.
Pease, J.
Philips, M.
Plumptre, J. P.
Potter, R.
Poulter, J.
Pryme, G.
Rider, T.
Rippon, C.
Robinson, G. R.
Roebuck, J. L.
Romilly, J.
Romilly, E.
Rumbold, C. E.
Scholefield, J.
Shawe, R. N. E.
Simeon, Sir R. G.
Staunton, Sir G. H.
Stuart, Lord D.
Strutt, E.
Thicknesse, R.
Thompson, Alderman
Throckmorton, R. G.
Trelawney, W. L. S.
Vernon, G. H.
Vincent, Sir F.
Walker, R.
Warburton, H.
Wason, R.
Whalley, Sir S.
Wigney, J. N.
Wilks, J.
Wood, Alderman
Young, G. F.

SCOTLAND.

Colquhoun, J. C.
Ewing, J.
Johnston, A.
Maxwell, J.
Oswald, R. A.
Oswald, J.
Parnell, Rt. Hon. Sir H.
Sinclair, G.
Steuart, R.
Wallace, R.

IRELAND.

Barry, G. S.
Bellew, R. M.
Blake, M. J.
Evans, G.
Fitzgerald, T.
Fitzsimon, C.
Lalor, P.
Lynch, H.
O'Connell, D.
O'Connell, M.
O'Connell, M.
O'Connell, J.
O'Connor, F.
O'Dwyer, A. C.
O'Reilly, W.
Roche, W.
Ruthven, E. S.
Ruthven, E.
Sheil, R. L.
Vigors, N. A.
Wallace, T.

TELLERS.

Buckingham, J. S.
Hume, J.

TIMBER DUTIES.] Mr. *Hutt* rose to submit a Motion with respect to the Timber Duties. He wished to see an equalization of the duties on Baltic and Canada timber. He represented the trade as in a state of great and injurious suspense. He wished to know from the noble Lord (Lord Althorp) whether any alteration was intended? It was then three years since the Government had proposed a wise, a just, a necessary measure, and he wished to learn if the noble Lord had deserted his principles, and also if the right hon. Gentleman, (Mr. Poulett Thomson) whose fame was connected with the budget in which an alteration of the duties was proposed, had forsaken the opinions he then enforced? Than the present moment a better opportunity for dealing with the subject could not be expected. The stock on hand was extremely short, and the whole of the trade required improvement. Would not the noble Lord pursue the course which consistency and common sense pointed out, or would he wait until Germany and the whole of Europe had, as a measure of retaliation, excluded British manufactures? The country was carrying on a commerce with Canada at the expense of 2,000,000*l.* a-year. Canada before many years would be an independent state. He would not pursue the subject as the House seemed so impatient under it, but he hoped an equalization of duties would be recommended by Ministers, when the plan would receive his support. He would move that an account be laid before Parliament of the duties received on timber imported from the British provinces in North America, stating also the duties that would have been paid if it had been imported from other countries.

Lord *Althorp* said, in reply to the hon. member for Hull, that he had not changed his mind upon the subject of the timber duties. It was not, he had further to inform the hon. Member, the intention of Government to do any thing in the present Session which could have any effect upon the trade. It was not at present necessary to consume the time of the House with a premature discussion upon the timber duties; and he had only to say, in addition, that he had no objection to the production of the papers asked for by the hon. Member, except, indeed, that they had been already granted upon the Motion of the member for Bridport.

Alderman *Thompson* had no wish to involve the House in a premature discussion; but when the subject should be regularly brought before the House he would be prepared to show, that the change which appeared to be contemplated would not only be detrimental to a very considerable commercial interest in this country, but would be also greatly injurious to the Canadas.

Mr. *Robinson* thought the question was one of very considerable difficulty, and it would be absolutely necessary to adopt some course that would prevent the Canadas from falling a sacrifice to any unwise concessions to Russia. He should not then go into the general question, but content himself, for the present, by supporting the Motion.

Mr. *Warburton* said, the noble Lord was in error in supposing that it was he who moved for the papers. They had been moved for by another hon. Member. He would beg to inform the noble Lord that, amongst those engaged in the importation of timber, a very general expectation was indulged that, in the present year, some alteration would be made in the timber duties. In fact, amongst the entire trade an impression was entertained, year after year, that some alteration would be made, and he could assure the House that putting off a question of such moment was calculated to produce a very injurious effect upon the trade. In fact, nothing could tend more to paralyse trade than such a state of uncertainty. At present the enormous duty of 200 per cent existed, and surely the Government ought at once to interfere.

Mr. *G. F. Young* regretted, that a subject of so much importance should have been thus incidentally introduced, and subjected to a crude and unsatisfactory discussion. It was, in his opinion, a fallacy to suppose that the reduction of the timber duties would be attended with benefit to the consumer in this country; and there was no doubt it would produce a considerable diminution in the revenue. It was a fact worth the notice of the House, that when the duty was only 10*s.* 11*d.*, the price of the timber to the consumer was not less than when the duty was 2*l.* 15*s.*

Motion withdrawn.

Case of the Brighton Guardian—Law of Libel.] Mr. *Wigney,* in rising to bring forward the Motion of which he had given notice, relative to the case of Mr. Cohen, the publisher of the *Brighton Guardian* newspaper, begged to assure the House, that he felt considerable dissatisfaction at being obliged to do so at that late hour of the night (past 12); but he begged to assure the House, that he would not occupy much of their time. He first begged leave to present a Petition from the borough of Newport in the Isle of Wight, and also from the town and port of Hastings, and another Petition from the city of Chichester,—all most numerously and respectably signed, and likewise a Petition from the borough of Lewes, signed by 300 of the inhabitants of that town, all praying that the person who was the object of the present Motion, Mr. Cohen, now a prisoner in Chelmsford Gaol, might be released from his confinement. [The Petitions having been laid on the Table, Mr. Wigney proceeded.] He now begged to submit to the House the Motion of which he had had the honour of giving notice that day fortnight, namely, that an humble Address be presented to his Majesty, praying that he would be pleased to remit the remainder of the sentence on Mr. Cohen, who was now confined in his Majesty's Gaol at Chelmsford. This person to whom he (Mr. Wigney) alluded, was found guilty at the last assizes of a libel upon the Magistrates of Sussex, but it was declared by the learned Judge who tried the case that there was no ground for the charge preferred against Mr. Cohen in one of the counts. The charge was, that he had excited the agricultural labourers of Sussex to acts of incendiarism. This certainly was a very serious charge; and if it had been proved, in his opinion no punishment would have been too severe for the individual who had been guilty of a crime so monstrous; but this charge was over-ruled by the learned Judge, who thought there was no ground for it; and yet the Jury returned a verdict finding Mr. Cohen guilty. It was for this libel on the Magistrates, the prosecution of which was supported by many of them, though many were not in favour of it, for which, it appeared, this prisoner had suffered, and did still suffer, a most severe sentence in Chelmsford Gaol, at a great distance from his own county. He thought that six months' imprisonment, a fine of 50*l.*, and the necessity of finding sureties for three years, was in this case a sentence of unparalleled severity. He hoped, that this person having now suffered four months' imprisonment, not only the law was satisfied, but that the prosecutor was satisfied, and that the House would agree to this Motion which he had brought forward. He would only refer to one or two circumstances of the case. He was exceedingly sorry the other morning that the hon. Baronet, the member for Shoreham (Sir C. Burrell) had adverted to two former occasions on which this individual had been convicted of libels. However guilty he might have been, he had then suffered the penalty of the law for those libels; as far as he could, he had atoned for them; and, therefore, he thought that this case should be allowed to rest on its own merits, and, he would say, that the punishment Mr. Cohen had suffered in this case was far too much, and when they considered that an individual in another country had been punished not only under another law, but for an offence of the greatest possible magnitude—he alluded to the case of the editor of the *Pilot,*—when he (Mr. Wigney) considered that that individual, having published what was considered a gross libel on the Administration of the country, and having been supposed to have incited the people of the country to sedition—when that person was only condemned to six months' imprisonment, and this unfortunate gentleman, whose cause he advocated, had been condemned to an equal punishment, though the two cases were of so distinct a nature, and the penalty inflicted was so severe, that he could not consider under what circumstances anomalous verdicts could have been given,—he hoped that the case of Mr. Cohen would be attended to by the House, and that the Motion would meet with their approbation. From the circumstance of the Under Secretary of State not having given him any hint whatever that the Government would oppose this Motion, he would say he was sanguine in his expectation that they would grant his request. The prisoner had written a letter to the Secretary of State, praying to be released from confinement, and his Lordship had written an answer back, stating that he was not able to interfere with the case, and therefore he (Mr Wigney) would make a Motion to accomplish that object. He would content himself with moving that an humble Address be presented to his Majesty praying that he would be graciously pleased to remit the remainder of the sentence inflicted upon Mr. Cohen.

Mr. *Kemp* begged to second the Motion, and said that he did so with considerable satisfaction, because there had been just laid on the Table of the House, a Petition signed by 300 of the inhabitants of the town which he represented. With respect to this prosecution he rejoiced to say, that several of his hon. friends, Members of that House and Magistrates of the county of Sussex, certainly did represent to the other Magistrates that it was highly desirable for the public benefit and the best interests of society at large, that this editor of the paper in question should not be prosecuted under the Libel-law. He (Mr. Kemp) was of opinion that the sentence which Mr. Cohen had already undergone,—four months' imprisonment in Chelmsford gaol, eighty or ninety miles from the town where he conducted a provincial paper,—he thought, he repeated, that that circumstance was sufficient to show that he had already suffered enough to satisfy the law, particularly as he had been acquitted of the principal part of the offence with which he was charged,—that part relative to exciting the labourers to acts of incendiarism. And another circumstance which ought to weigh with the House was, that during the whole time which elapsed between the publication of the paragraph and the trial, no incendiary fires occurred in Sussex. He hoped the House would take into consideration the case of this person, and, as justice was satisfied, that they would agree to the Motion of the hon. member for Brighton, and address his Majesty to remit the remainder of Mr. Cohen's sentence.

The Motion having been put by the Speaker,

Lord *Howick,* in rising to oppose the Motion which had been moved by the hon. Member opposite, thought it right to apologise to the hon. Member for not having expressed his intention of giving a determined opposition to the Motion; but he certainly had conceived that the hon. Member had understood from him that he was only to receive another communication in the event of the decision of Lord Melbourne being revoked. He was not aware, therefore, of the hon. Member being in expectation of receiving from him (Lord Howick) any intimation that could lead to the belief that he was disposed to acquiesce in the hon. Gentleman's proposition. He thought it necessary to state that he had learnt that some disappointment had been evinced at his not having been in the House at the morning sitting a few days back, when a similar petition to those presented to night, had been presented from the individual himself. He could only say, as an excuse for his absence, that it was only two days ago that he had heard that such a thing was in existence. He saw it stated in the course of the debate that the hon. Member regretted the absence of the members of the Government, but he (Lord Howick) had no intimation that the petition was to be presented, and in consequence he was not present when the petition was presented. The hon. Member who had proposed this Motion, and the hon. Member by whom it was seconded, had both agreed that the libel of which Mr. Cohen had been convicted, was, in point of fact, a very trifling offence, and had argued that it was the duty of the responsible advisers of the Crown to interfere to release him from his punishment. He (Lord Howick) would not go into the details of the question of it; but he confessed that his own opinion was that it was hardly possible to conceive a more aggravated case of libel than that for which Mr. Cohen was now suffering punishment. This Gentleman had accused the Magistrates of Sussex, by their oppression and tyranny, of compelling the labouring classes in that county to have recourse to acts of incendiarism as the only means of making their situation and their wants known. It was stated in this article, that when the labourers had met to ask for a redress of grievances, the Magistrates had called them mob, and transported them. If that charge were true it would have been a charge of the heaviest description, and the editor of a well-conducted newspaper would have done well to have brought it before the public; but if it were not true, he would say, it then became a libel of the most aggravated description, and he could not be surprised that the Magistrates of Sussex should think it necessary to have recourse to the law to defend themselves from such an attack. He was not a person who generally advised prosecutions for political and seditious libels. He held an opinion that, except under very peculiar circumstances, it was much better to trust to the effect of a free discussion and the discretion and good sense of the people to neutralise the efforts of those trading in sedition, but with regard to libels on private character it was different. He saw nothing—no tyranny which would be more intolerable than that of the Press, if men, when their characters were attacked by the newspapers, were debarred from defending themselves and bringing the question of their imputed guilt before a Jury of their countrymen. With respect to the charge against the Magistrates of Sussex, in this case, he did not, as he said before, mean to go into it, but it was sufficient for him to say, that that case was fairly brought before a Jury, and that by their verdict Mr. Cohen was found guilty, nor was this all. Judgment was not given at that time, but having given bail he was subsequently brought before the Court of King's Bench, on which occasion were present the Lord Chief Justice and three other Judges of the Court. Mr. Cohen was fully heard in mitigation and after mature deliberation the Court pronounced its judgment. The learned Judge (Judge Park) in passing sentence did state that he did not think the Jury intended to find Mr. Cohen guilty of intending to incite the labourers to acts of incendiarism, but he said, "if the Court was really satisfied that it was your intention to excite the labouring classes to commit violence—the punishment which the Court would inflict on you would be much more severe than it will be;" and no hon. Gentleman would deny that if it was held such intention existed, it would be a case calling for the severest judgment, but for the minor offence of this unfounded charge against the Magistrates, the Court pronounced a solemn sentence of six months imprisonment and a fine of 50*l.* [Mr. *Wigney:* And requiring sureties for three years.] If they looked back to former years and the sentences which used to be given by the same Court, they would find that this was a light one in comparison. He had the curiosity that day to desire to have a return given him of the sentences passed by the Court of King's Bench, and he found they ran from one to two years' imprisonment, and a fine of 100*l.* He thought the Court had acted very wisely in this instance in not inflicting a more moderate punishment. But when he considered the nature of the case, the gravity of the charge against the Magistrates, and the want of even the colour of truth in it, he could not think the punishment excessive. But even were the case one of hardship, if on first appearances the punishment might seem to hon. Gentlemen to be beyond what the merits of the case required, yet it was not a case in which the mercy of the Crown ought to be interposed, and still less a case in which that House ought to interpose, to call on the advisers of the Crown to alter the decision of the Judges. It was an opinion which had always been acted upon in this country, that the prerogative of the Crown in interfering with the decision of a court, was one which ought to be most sparingly exercised. When a sentence had been passed with due consideration in a Court of Justice, unless special circumstances arose, that sentence should be fulfilled. The prerogative of pardon was not in general used; it was made use of in late years in two cases, to modify the sentences in those cases in which the discretion of the Judge was fettered by the law, and he was obliged to pronounce a sentence more severe than the merits of the case required. And it was also made use of when some circumstances arose after the sentence was pronounced, and came to be known, which showed that a lighter sentence would have been pronounced if the prisoner could have shown that his former character and conduct had been better than there had been reason at the time to suppose; or if extenuating circumstances, not before known, should come to light, it was fit the mercy of the Crown should interpose. But it was not the custom of the country that the prerogative of the Crown should be used to over-rule the sentences and decisions come to by the Judges with a full knowledge of the cases. In the case before the House, there was neither of the reasons to which he had referred. The Judges had the full power of passing as light a sentence as they might think fit, it was not a case in which capital punishment was inflicted by law, and in which the Judge did not think so heavy a penalty ought to be inflicted. But in this case the Court had full power of judging the amount of punishment which they thought the case required, and had any thing occurred since the sentence was pronounced to warrant the Secretary of State to revoke, or which should induce the House to address the Crown for a remission of that sentence? So far from it, the only additional circumstance elicited by the discussion of the case was, that this was not the first offence of the kind of which this person had been convicted; that on the contrary, it was the fourth libel brought against him, and for which he had been convicted by a Court of Law; and in one case, having been convicted of an aggravated libel on an individual, he escaped by an act of bankruptcy from the payment of the damages which the Court had adjudged to the injured party. These were the only circumstances which had come out; and was there any ground on which the Secretary of State could form an opinion? Was this a case in which it would have been proper for the responsible advisers of his Majesty to exert the prerogative of pardon? But the question now before them, was not whether the privilege of pardon might have been properly exercised in this case, but whether that House ought to interfere to induce his Majesty to take a different course from what his responsible advisers had thought fit to pursue. He had listened to the speech of the hon. mover and seconder, in order to hear some grounds for taking a course so extraordinary—which, unless there were very particular reasons, it was strongly objectionable to adopt—but there was not one argument of the kind brought forward. Had the hon. Members who supported this Motion, had those who were prepared to vote for it, considered how very dangerous and mischievous a precedent would be established by it? It would be neither more nor less than a vote to revoke by a popular assembly the solemn decision of a legal tribunal of the land. Such a course was, by that House, almost unprecedented. Of late years he could only find two instances in which such a proposition had been submitted to Parliament. One Motion was made by his hon. friend the member for Devonshire (Lord Ebrington) who moved that an humble address be presented to his Majesty, praying that that part of the sentence passed upon Lord Cochrane by the Court of King's Bench, by which he was to be exposed in the pillory might be revoked; and on the next occasion, an address was moved by another noble friend of his, the Paymaster of the Forces, having for its object the remission of part of the sentence passed upon Sir Manasseh Lopes: and in both cases the Motions were withdrawn by the movers, which showed in the strongest manner how very great a reluctance that House had always entertained, and he thought always ought to entertain, in any interference on subjects of this nature; and he would now more particularly instance the last case—that of Sir Manasseh Lopes. His noble friend in introducing his Motion thought it necessary to guard himself and apologize for bringing forward such a Motion, by saying, that it was a case in which the Ministers of the Crown could hardly have acted without the encouragement of the House. Sir Manasseh Lopes had been convicted of bribery at an election, and sentenced to the enormous punishment of a fine of 10,000*l.* and two years' imprisonment. After having paid the fine and been two months' in prison, his noble friend moved that the remainder of the sentence be remitted, the prosecution having been instituted under the directions of that House, and it being a case of a political nature it would have been difficult for Ministers to remit the sentence. On that ground his noble friend proposed his Motion, and every Member who supported it did so on similar grounds, and the reluctance of the House was so great that his noble friend withdrew his Motion, without any promise on the part of Ministers, but that the case should be taken into consideration. In fact, Sir Manasseh Lopes's punishment was not remitted till a month after the date of the Motion. If in those cases the House was unwilling to interfere, he would ask hon. Members whether in that case which was before them it would not be much more objectionable? Even those who had brought the question forward acknowledged there was some doubt whether it was or was not a fitting case for the mercy of the Crown, and he again asked, should they now establish so very dangerous a precedent as that of bringing under the view of that House the national tribunals of this land? It had hitherto been held, that however high party warfare and party question had been carried on the part of the people, the judgment seat had been free from the influence of them. Should they then bring a subject of this kind under the view of that House, and risk the loss of the advantages which the contrary practice had given? He would most earnestly request hon. Members to consider before they agreed to such and so very strong a measure as this.

Mr. *Hawkins*: Sir, I was prevented, by illness, from being present when this subject was last brought under the notice of the House; and from adding, as I should then have done, my voice to that of the independent members who recommended the case of the petitioner to the consideration of his Majesty's Ministers. I much regret the opposition which they have thought fit to offer to this Motion. I regret it, not only on account of the petitioner, who I think has had a very hard measure of justice dealt out to him; but also for the sake of his Majesty's Ministers, who, I think, are now throwing away an opportunity of recommending to the Crown an act of well-timed clemency. That the Crown would cheerfully comply with such a recommendation, both the personal and political character of its present possessor alike forbid us to doubt. The noble Lord thinks that no case has been made out for the interference of the Crown; I differ from him. With all respect for the noble Lord, I think this is eminently a case for the exercise of the highest prerogative of the Crown; I think this precisely one of those cases against which this prerogative was meant to provide. Why, the state of the law under which this person has been punished is alone sufficient reason, were there no other, to justify such interference. The present state of our Libel-law—the tyrannical use that, in more than one instance, has lately been made of it—the change which it is forthwith about to undergo—are all good reasons for a mitigation of the sentence. When a bad use has been made of even a good law—still more when a bad use has been made of a bad law—then it is a fitting time for the Crown to exercise its power of pardon; but when an oppressive use has been made of a law so bad that it is about to be changed, then public sympathy invariably points out as fit objects for consideration those who are suffering a punishment incurred thereby. Let us put an analogous case. Let us suppose that this House were now engaged in considering the propriety of abolishing the punishment of death in cases of forgery, and that a prisoner was lying in Newgate under sentence of death for that offence; what Ministry, under such circumstances, would venture to put that sentence in execution? Would not the mere fact of the law being under consideration be sufficient to ensure a remission of the punishment? Now, here is a precisely analogous case. Mr. Cohen is suffering a punishment incurred under a law in defence of which not a voice is lifted up. Men of all parties and opinions,—Tories, Whigs, and Radicals,—from John o'Groat's to the land's end—not a tongue that does not cry, "Out upon it!" We have petitions against it—we have pledges against it—we have a Bill on our Table for its reform—and we have a Ministry professing themselves anxious to reform it! If ever there was a case for the exercise of the brightest prerogative of the Crown, it is now before us. Here is a man suffering punishment under a law so bad, that it is about to be changed in the present Session of Parliament; which will, probably, be so changed before his punishment expires; a punishment, too, which, even under that law, is thought unusually severe. No one denies that the punishment is according to law; but will any one say, that it is according to justice? When did ever such a punishment, inflicted under such circumstances, produce a beneficial effect? Of course, no one supposes it to have been inflicted by the Judge, or called for by the prosecutor, for the sake of vengeance. But then, it is no example; it can never act as a warning. A punishment, the unexampled severity of which has surprised even his enemies, may make a man a martyr; but as long as human nature remains what it is,—as long as the English character remains unchanged—it never will make him an example, or a warning. It may ruin him; it may reduce his family to beggary; but it will not put down the paper, nor even change its tone. Sir, I incline to think, that in no case does punishment produce a good effect, unless public opinion go along with it; but in cases of punishment for offences of the Press, I am sure, that unless the sentence be a concise expression of public feeling, it never can produce a beneficial result. The only practical effect likely to ensue from enforcing this sentence is, that, at the end of the year, the Stamp-office returns will, probably, show an increased circulation of the *Brighton Guardian.* But, suppose, Sir, that a punishment of this undue severity ever did, or in England ever could act as a warning, what is there to be warned against? What is the crime from whence people are to be deterred? Is the House in possession of the real state of this case? Observe, in the first place, that the Judge who pronounced sentence, expressly acquitted Mr. Cohen of the graver part of the charge,—of that part of the charge for which alone I should have ever thought that such a sentence could be inflicted,—that is, the intention of inciting the peasantry to acts of violence and outrage,—the wish to encourage incendiary fires. Of course, then, there is no need of an example here. There can be no warning intended against a crime of which the prisoner is acquitted! Look, now, to the minor offence of which Mr. Cohen is convicted; I mean, the bringing certain Magistrates of the county of Sussex into contempt. With regard to this charge, he distinctly proved in Court, that the insertion of the paragraph was an act of inadvertence,—that it was received so late on the eve of publication, that he had not an opportunity of making himself acquainted with its contents. Now, even, if such a sentence could operate as a warning against evil intention, it never could act as a preventive of inadvertence or carelessness. Without occasional inadvertence of this kind, no newspaper can be carried on; and, I am quite sure, that ten times the punishment inflicted on Mr. Cohen will never suffice to put down newspapers. I say, that Mr. Cohen distinctly proved, that the insertion of the paragraph was an act of inadvertence—that it was sent to press, without examination, amidst a bundle of news from country correspondents. But, had he not been prevented, by the absurd technicalities of our Libel-law, he would have proved more; he would have proved, that which is well known to the reader of his paper—that, without which, I cannot conceive, how any Judge or Jury, could come to a right decision after such a case—the general tendency, the usual strain, of his political writings. Probably few Members of Parliament are acquainted with the *Brighton Guardian;* it does not flatter us sufficiently to have many readers among our honourable body. It is a paper of strong political principles, of Ultra-Radical opinions, and those opinions it inculcates by strong, uncompromising, if you please, by acrimonious, criticism on many of our existing institutions in Church and State. But for a paper of this kind, it is singularly free from personal libels and individual attack. It is no respecter of existing institutions; but it is no habitual libeller of those by whom they are administered. As for encouragement to outrage and violation of the law, this single paragraph is the only one that has come under my notice that could be tortured into such a tendency. So unfair a sample do I consider it of the habitual style of its political department, that I can safely say, that had it been laid before me by itself, and had I been asked to say, from whence it had been extracted, one of the last papers to which I should have referred it, would have been the *Brighton Guardian.* Sir, I am unable to understand the grounds on which the present Motion is resisted; it is one of those opportunities for the exercise of the Royal mercy which I should have thought a Ministry would have been as glad to recommend, as I am sure the Crown would be to adopt; I see, in the present case, no drawback on the royal satisfaction; none of those objections which sometimes apply to similar Motions. It sometimes happens that the reversal of a judicial sentence, even in this most graceful of ways, implies, or is thought to imply, a censure on the Judge; the remission of a punishment is sometimes taken as a reflection on the motive of the prosecutor. No such objection, no such cause for hesitation, can apply here. Mr. Cohen petitions, not against the Judge, but against the law. He expressly acquits the learned Judge who pronounced the sentence of any partiality. He does not even attribute the extraordinary severity of the sentence to any improper motives. I am glad that such are his feelings; I am glad that he has taken this course; for it is one that every honourable man, in pleading his own cause, would wish to take. This course takes away all pretence for making this a personal debate. We are discussing the merits of a law, not the merits of those by whom it is administered; the law, the expediency of enforcing a particular punishment—not the motives of those who have inflicted it. Mr. Cohen attributes his sufferings to the state of the law; he admits, that the law was administered according to the usual practice; it is on that state of the law, and on that practice that I ground my arguments for a mitigation of the punishment. I do say, that the fact of a man being put on his trial for a seditious libel—that libel being an isolated paragraph of 32 lines, extracted from a periodical publication; the defendant not being allowed to plead in his justification the habitual tone and tendency of his political writings, though no imputation on the Judge who only did his duty in following the usual practice of the courts,—is yet a sufficient reason for the interference of the Crown in mitigation of the sentence. There is no doubt that this is a very undeserved sentence—not from any improper motives on the part of the prosecutor, or from any improper conduct on the part of the Judge, but from defects in the law under which he was tried, and which law this House is forthwith about to reform. Again, I regret the course that his Majesty's Ministers have taken to-night; I regret still more that they did not see fit to take the initiative in this matter. As it is, however, I do not see how the hon. Member can do better than to take the sense of the House on the question. If the House will recommend this act of mercy, and the Ministers will support the recommendation, no one doubts the good nature of William 4th.

Lord *George Lennox* said, he was not going into the case of Mr. Cohen, as if it was one of so extraordinary a nature as to call upon that House to agree to an address requesting his Majesty to remit the remainder of Mr. Cohen's imprisonment, for he (Lord G. Lennox) was quite sure, that a more false or infamous paragraph than that which had given rise to the prosecution connected with the Motion before the House had never been put into a paper. The learned Judge, in passing sentence, stated, that no one, on reading the paragraph, could doubt but that it was, "in every sense, a gross and scandalous libel on the Magistrates." Mr. Cohen insinuated that the Magistrates oppressed and ill-used the labouring classes, and asserted, that when the latter "have been with any party to ask for a redress of grievances, they (the Magistrates) have called them 'Mob,' and have transported them;" and the period at which this libel was published was a time that fires were raging and mobs collecting in different parts of the county of Sussex. Mr. Cohen went on to say,—"The consequence has been, that the oppressed labourers have had no way of making their situation and their wants known but by setting fire to the stacks of individuals who were obnoxious to them." But this was slipped in by accident. Now, let them see what Mr. Cohen said since he had been convicted. He held in his hand a copy of the *Brighton Guardian*. It was dated "Chelmsford Gaol, Wednesday, February 26th, 1834, and fifteenth week of our incarceration on the prosecution of W. C. Mabbott, Esq. of Uckfield." He had one word, however, to say, before he read the extract, and that was, that he believed that Mr. Mabbott, individually, had no more to do with the prosecution than he (Lord G. Lennox) had. Mr. Mabbott happened, at a time, when there were some meetings near Lewes, to go to preserve the peace; there was a meeting about Political Unions; on his return to Lewes he attended a meeting of thirteen visiting Magistrates, on county business; he then represented to them the state of his own village, when an individual from Brighton, one of the Magistrates, brought in the paper containing this libel, and the Magistrates were of opinion that a prosecution ought to be commenced; and if he (Lord G. Lennox) mentioned the names of the Magistrates then present, the hon. Gentleman himself, and the other supporters of Mr. Cohen would agree with him in saying, that a more honourable body of men could not exist. In the number he found the names of the Earl of Chichester, Sir George Shiffner, Mr. Campion, Mr. Courthope, and the Chairman of the Quarter Sessions at Lewes; therefore he considered that Mr. Mabbott only acted completely as one of that body, and he was no more responsible for that act than the other thirteen. But that was not the object of Mr. Cohen; he wished to have one man whom he might hold forth to the people as an object of odium and hatred. He was not now speaking from interested motives, for there was not one Magistrate on that list who had a vote for that part of the county which he represented. On the 26th of last month, Mr. Cohen, in a leading article, stated,—"Three years have now elapsed since the pauperised, degraded, and insulted peasantry, reduced to their abject condition by the Magistracy and the Government, moved through the country in numerous gangs, breaking and destroying and inflicting evil on those with whom they ought to live on the most friendly terms. Now, I charge this distinctly on the Magistracy and on the landowners." In his petition Mr. Cohen stated to that House, that he was unfairly accused of attempting to vilify the Magistrates of Sussex. Whether the accusation was unfair before, he (Lord G. Lennox) knew not; but he knew that now Mr. Cohen had attempted, and in this very article, to vilify the Magistrates of the county; and here he would only read one extract in proof of his statement. Mr. Cohen said, "Can you wonder, gentlemen, when you thus patiently submit to be plundered so far in the name of the law, that your patience should encourage other exactions? Why, the tax-gatherers and the tax-ordainers, taking a lesson from this patient submission, look upon you like the clods you tread on, which require to be bruised and broken by the plough and tortured by the harrow before they give you any increase, and your legal masters harrow you as you harrow the earth; but that has no feeling, till they extract from you everything you can possibly spare." This was the language Mr. Cohen used after his petition to that House to address his Majesty on his behalf. This was the language of the individual whom his friends wished them (the House) to believe was a good man. The hon. Gentleman said, he had read Mr. Cohen's papers, and had never heard or seen anything in them of the kind charged, or sentiments of such a nature. Now, there was a requisition (said the noble Lord, quoting from it) in which the undersigned inhabitants of Brighton called upon the High Constable to convene a public meeting to consider a most atrocious and wanton attack on his Majesty which appeared in the *Brighton Guardian* newspaper. The requisition was signed by many individuals, amongst whom he found the name of William Wigney, jun., who, was, he believed, a relation of that hon Member who had brought forward the present Motion. This was the man that never vilified individuals. This was the man who was to be held up as a martyr, and for whom they were to go out of their way in carrying an address to his Majesty.

Mr. *Charles Buller* said, he would not take up much of the time of the House; he should have been glad if he could have addressed them before. The noble Lord who addressed the House last had entered into a discussion of the character of Mr. Cohen, when the question before the House was,—whether the libel of which Mr. Cohen was convicted was an offence for which, under a rational system of law, any man ought to be punished? He would not enter into the circumstances of the trial except to state, that he did not think that it was a fair trial. For, in the first place, he had been tried by a Special Jury, composed of landowners and private gentlemen; and they were almost all, as a matter of necessity, Anti-reformers. He did not say all of them were; he said most of them were Anti-reformers; and therefore it was exceedingly hard to take him from his natural Judges, and take him before Judges who held very strong political principles of a contrary tendency; and though they might say, if he had been brought before a common Jury, that they had sympathised more with him, surely it was better that the sympathy should be with the defendant than the prosecutor. Then, again, the atrocious part of the Libel-law left men dubious of what offence had been committed. He (Mr. Buller) was in court when Mr. Cohen was brought up for judgment; and the impression in that part of the Court where he (Mr. Buller) was, was that the sentence was exceedingly light; and why? Because it was said, he was the man who had been convicted of inciting the people to acts of incendiarism; and yet the Judge said, "considering what passed at the trial, I do not think that the Jury intended to find you guilty of that intention." Was this an offence that ought to be punished? He did not say, that Mr. Cohen had a right to libel the Magistrates. He did not say that Mr. Cohen's language was temperate, or decorous; but this was a free country, in which they ought to leave public functionaries open to free discussion. He said, that, on these matters, if they wished to have liberty of discussion, they ought to allow the people to express what opinions they liked on the conduct of the Government. They must not pretend to interfere with the people's language, and say the people did not make their observations in a proper tone. It was better that the people should do so in an improper tone than that Government should take on itself to interpret that tone in its own way. The noble Lord (Lord Howick) it seemed to him (Mr. Buller) had committed a great mistake; there seemed to be a confusion of ideas in his mind; at least, there was a misrepresentation; for he had treated this as a libel on a private individual. He rejected the idea of its being a prosecution of the Government; and said it was a libel on a private individual. But it was not; it was a libel on public functionaries of the Government, and they ought to be the object of the constant unremitting vigilance of the public; and the public Press ought to inquire, and he hoped would continue to scrutinize, with unceasing vigour and vigilance, the conduct of Magistrates. The question was, whether Mr. Cohen had done wrong in blaming the conduct of the Magistrates of Sussex. He did not say, that Mr. Cohen had formed a right opinion or a wrong one; but Mr. Cohen had as good a right to express his wrong opinion in intemperate language as any Member in that House. The Government ought to recollect that which had been advanced by Mr. Cohen on his trial, namely: that the Government itself had not been so very scrupulous in examining the conduct of the Magistrates. He would only ask them to look at the Report of the gentlemen deputed, and whose expenses were paid by Government, under the title of Poor-law Commissioners,—whose invaluable services to the country he did not mean to detract from,—who stated it to be a fact, and attributed the misery of the country and unpopularity of the laws to the misconduct of the Magistrates. He knew that that language was unpopular in that House, which was principally composed of Magistrates; and therefore he asked the House not to give way to prejudice. He did not mean to accuse the Magistrates of a general defalcation of duty; but it had been the careless benevolence and misconduct of the Magistrates which had brought about the present dreadful state of the country in reference to the poor-rates. Ought it to be tolerated, then, that when the Poor-law Commissioners were casting these insinuations,—was it just, that one individual, a poor country editor, should be punished for saying the same thing? Then, too, when they considered the atrocious nature of the Libel-law,—which was a disgrace to the country, and at this moment the House were considering how to alter it,—he must say, this was not a moment in which the House ought to hesitate to interfere in this very severe case. He did not mean to attack the Judges. A Judge, according to the old saying, should be considered just, and a Chancellor juster. He said, they could inflict no greater disgrace upon the law of the country and the administration of justice, in the eyes of the people and of the country,—who looked to their proceedings and those of the Courts,—than by continuing a sentence which the people looked upon as vindictive, and which the House should prevent being inflicted on any individual in future.

Mr. *Hodgson* believed that, in what the hon. Member (Mr. C. Buller) had said, it must be obvious to the House, as well as to himself, that not only the object, but the tendency of his learned friend's speech was rather to amuse than to instruct; but with regard to the latter part of what fell from him,—and the same argument had been used by another hon. Gentleman,—it deserved some more consideration. The hon. Gentleman stated, it was unjust to carry into execution a sentence passed under a law which the House were about to alter. A Bill, certainly, had been brought in to alter the law, but the prosecution of this case would have been precisely the same. The only advantage the editor would have had, if the Bill had been passed into a law, was, that he would have been able to justify the libel, if he could prove its truth. Whatever the opinion of the hon. Gentleman was, he thought that neither that House, nor any Jury of the country would have found a verdict if a justification of the libel were produced.

Mr. *Goring* said, I should not have risen on this occasion had I not the honour of knowing some of the individuals who tried Mr. Cohen for the libel of which he was convicted. The Jury was composed principally of Yeomen, and, I believe some tradesmen. There was not one Magistrate, and the foreman was as respectable a Yeoman as any in Sussex—a most independent and honourable man—and no anti-reformer. I made this statement on a former occasion, that I thought an importance was given to the paragraph by the prosecutor which it did not merit; and what I stated on that occasion, in regard to fires, was only meant as applicable to the Arundel district. I state this because I have been misrepresented in a provincial paper. I will now advert to the claim which the individual has to the merciful interposition of this House, and see whether this individual merits the intercession of the Parliament. Since I had the honour of addressing this House on this subject, this editor, while soliciting the gentry of the county of Sussex, who have seats in this House, to intercede for him to obtain a remission of his sentence, has been publishing a most unwarrantable attack upon the whole Magistracy of that county, and has been endeavouring to set the tenantry against their landlords to the utmost of his power, as will appear from the short extracts which I will take the liberty to read from an article which appeared in the *Brighton Guardian* of the 26th of February, in the form of a letter to the farmers of Sussex, headed, "On the Utility of the Squirearchy." He says, "Of what use, I ask, are the squires and land-owners to you, who secure such a large portion of your produce? We hear perpetually about the great virtues of the country Magistrates—about the great utility of this order of men—but do you find that confirmed by experience? Are the county rates, levied by an irresponsible magistracy, compensated by the manner in which the squires administer the law, and call it justice? Are the rents you pay remunerated by the protection the squires afford your property? Do you, in short, receive one advantage from your landlords which is a complete compensation for the rent you pay, and for the rents they, in the character of justices, levy on you?" One would suppose, Sir, from such language as this, that the property of the soil belonged to the farmers and that the landlords had no right to ask them to pay any rent at all. This is the spirit in which he endeavours to excite the farmers against the gentry of the county, at the very time that he is calling on this House to intercede with the Crown on his behalf. With permission of the House I will read one extract more. "To preserve order is the duty of the Magistrates; and your present knowledge of the state of the country, as well as your recollection of its condition during the last four or five years must convince you, that there never was a more useless set of men than these said country magistrate squires, on the preserving of whom in opulence—if you believe them—the welfare of the country depends." He then goes on to attack the lay impropriators in language equally violent: and, to show the ground and spirit from whence these vituperative attacks spring up, I will read one extract from this publication. "It is so obvious," he says "that nothing whatever is given to you for this part of your property (meaning tithes), that further remark must be needless. All I shall do is, to express my extreme surprise that you have so long and so patiently submitted to this species of plunder, merely because it is ordained by the law." Merely because it is ordained by the law! I think these words are pregnant with meaning, and can be intended to produce but one result—that of instigating the tenantry against their landlords. He evidently holds out to them that they have a right to stand forward and upset the law. Well, I will leave it to the House to say whether a fair inference may not be drawn from it that it is the intent of Mr. Cohen in writing this paragraph to instigate the tenantry against their landlords. The design is a wicked one; but I do feel most confident that the farmers of Sussex have such a respect for their landlords, arising from a full conviction of the mutuality of their interests, that it is not to be weaned by any such writing as this; and that they will read it with that disgust and contempt which it justly merits.

Mr. *Hughes Hughes* was sorry to have listened to the remarks of the hon. member for Newport. A more useful set of men did not exist than the unpaid magistrates. He was surprised to hear the hon. member for Newport defend that paragraph as if the paper were a paragon of perfection; he (Mr. Hughes) had not the pleasure of reading the *Brighton Guardian* regularly, but it was much read in that part of the country with which he was connected on account of its gross personalities, and consequently, his (Mr. Hughes's] attention was frequently called to it, and principally because it abounded in personal slander.

Mr. *Feargus O'Connor* said, the conduct of the noble Lord, the member for King's Lynn, was conduct most worthy of him; and if followed by other hon. Gentlemen would make this libel harmless. The noble Lord had stated that his family had been frequently abused by this paper, and he had thought it better to let them die away by taking no notice of them; and he was right, for nothing that was said in any paper could disparage his family. This was a wise and sensible course of proceeding. With respect to the speech of the noble Lord, the Under Secretary of State, he must say the noble Lord had jumped at a conclusion, for he defied any one to make head or tail of it. The noble Lord said, the royal prerogative should not be used; he contended that it should never be used unless to punish and not to spare. The noble Lord hoped the mover and seconder would not press a division, because the Ministers would not interfere. Then the noble Lord said this was a private libel, and he was not for punishing editors for attacking public individuals; but he (Mr. O'Connor) maintained that this was a public libel. The libel of which Mr. Cohen was accused was not a libel on any individual, but a libel on the Magistrates; and he (Mr. O'Connor could very fairly enter into the feelings of the noble Lord; but he should recollect that this very attack on the Magistrates had been allowed by the Judge not to have incited to incendiarism; and many Members in that House had thought it had considerably checked incendiarism, and stated, that there had been no fires in Sussex after it appeared. That was a very good proof of it he thought. Then the noble Lord, the Under Secretary of State, went further, and said this man had already been convicted of four libels. Now, if this proved any thing, it proved that Mr. Cohen did not know when he was writing a libel. For what man could say what was a libel? It really was too bad, just at the time that very House,—a Reformed House of Commons,—was going to abolish, at least to remodel, the law of libel, that Mr. Cohen should be suffering an unmerited degree of punishment. The last speaker had said, that even under the Bill of the hon. member for Dublin, this would have been a libel. He denied it. It would not be a libel; and he thought, that if this Bill should pass into a law, while Mr. Cohen was suffering imprisonment, it would be a very hard case. But perhaps the right hon. Secretary for Ireland (Mr. Littleton) would not let that Bill be carried. No; but that was no reason, if the Bill was a good one, why it should not be passed. He was not going to prop up Mr. Cohen and say he was not wrong in attacking the Magistrates; he was not going to say the Magistrates were not doing right in carrying on this prosecution; but he would say, were they (the House) to sit as judges and jurors and judge of every libel, he asked were they to judge of every libel written in every paper? There had been several paragraphs read out of the *Brighton Guardian*, which were not in the libel at all. They were refusing to interfere in the matter; and he objected to their reading any paragraph not connected with the libel, on the ground of its not being connected with what was before the House. He asked if it was not just, that this libel should stand on its own merits? Suppose even that this was an unfair attack on the Magistrates, the Poor-law Commissioners had attacked them much more severely, then was it either fair or just to inflict a punishment upon Mr. Cohen for entertaining their opinions? The Law of Libel could not, must not continue, because it was unfair, and unjust. If there was any reason why the Crown should not interfere in this case, he hoped the noble Lord would tell them what it was. Mr. Cohen had, in his petition to that House, pursued the only proper course left him.

Lord *Althorp* said, that a continuance of the same course for which he had been prosecuted, was some and a sufficient reason for not showing him favour.

Sir *Charles Blunt* said, that what he said should be brief and to the point. He had been applied to by a large body of his constituents to support this Motion, and he could cheerfully do so as he was no party to the prosecution. The reasons why he was no party to this prosecution, perhaps the House would be so indulgent as to allow him to state. He was no party to that prosecution, because he thought that it was impolitic, and only calculated to revive the discussion of matters which had occurred two years ago, and of a subject which had almost been forgotten; and that the country in 1833, was recovering from that excitement which it had for two years laboured under. And he also refused to be a party to that prosecution, for another reason; and that was, that he considered that the Magistracy were not exactly that source whence a prosecution for libel, either affecting the liberty of the Press, or the subject, should arise. These reasons might not have much weight with the House, but he had a third reason, which he was satisfied would have weight with the House in favour of the Motion; and that was, that he was enabled to state to the House as a positive fact, that Mr. Cohen, the petitioner, previous to his trial, was ready to come forward and acknowledge himself not the author of the libel that he published; that he was ready to give up the name of the author, and to make every atonement in his power for having inadvertently admitted into the columns of his paper the paragraph prosecuted; and that offer ought to have been accepted. Having the character of a Magistrate to maintain, he (Sir C. Blunt) felt it his duty to himself to avow that he was no party to this prosecution; and he thought it a disgrace to the country, that such a prosecution should be commenced. Now, let him say a word about the Gentleman who had stood forward as the champion of the Magistracy. He could not help offering that Gentleman his tribute of praise. He knew him to be a zealous and efficient Magistrate, but his (Sir C. Blunt's) calm opinion was, that, on this occasion, he was wrong; that he had instituted this prosecution under a mistaken impression of duty; and that if the Gentleman looked back upon what he had done, he would regret being placed in the situation in which he now was. Knowing him well and his character as a respectable and honourable man, he could not do otherwise than speak justly of him. They were the three reasons which he had to submit to the House; and if the hon. Member who proposed the Motion, divided the House, he should certainly feel it his duty to support it.

Lord *William Lennox* was happy that the hon. Baronet who addressed the House last had touched upon the same point, which he (Lord W. Lennox) was going to state — namely, that Mr. Cohen had offered to give up the name of the person who sent him the paragraph. That was one reason why his case should be considered by that House. Then there was another circumstance which ought to be taken in Mr. Cohen's favour, which was, that though fires had taken place up to the time of the paragraph alluded to appearing in the *Brighton Guardian*, yet not one fire had happened in the county of Sussex between that time and the trial. Then there was another point which ought to operate in Mr. Cohen's favour. He had been accused by the Magistracy of Sussex,—than whom a more respectable body did not exist,—he was accused by them of exciting the peasantry of Sussex to acts of incendiarism. He had suffered through that accusation, and his newspaper had suffered, because there was not any man of respectability who would take it in, or read it, if he thought the editor advocated such principles. Then he was brought up for judgment and honourably, acquitted of that charge; the Judge entirely exonerated him of such intention. As regarded the libel on the Magistrates, it was undoubtedly a libel; but the question now was, whether these points he had mentioned ought not to operate in Mr. Cohen's favour. He would now refer to the paragraph which had appeared since Mr. Cohen had been in prison, and which had been quoted by his noble relative (Lord G. Lennox). When his noble relative read the paragraph about the people being trampled upon like clods of earth, it reminded him (Lord W. Lennox) of what had been stated by another noble relation of his (the Duke of Richmond), a member of the other House, who, in moving under the Wellington Administration for an inquiry into the Poor-laws, and the state of the labouring poor, stated, as his reason for so doing, that there were more than 100 labourers of Sussex working on the roads for sixpence a day, and obliged to find their own tools. After that, would not any newspaper man be justified in saying that the people were crushed like clods? Now, there was another point he would draw attention to, and then he should have done, as he did not want to occupy too much of their time. An allusion had been made, and it ought to have no effect upon the House, to an advertisement calling upon the High Constable of Brighton to convene a public meeting, or private meeting of the inhabitants, in consequence of, as it was alleged, Mr. Cohen having attacked his Majesty; he could only say, no one would deprecate any words disrespectful to his Majesty more than himself; but he was in hopes they should have heard what this meeting did,—and though the name of Mr. Wigney had been introduced, and he believed that Mr. W. Wigney, jun., was a very respectable person, he might certainly have been persuaded to sign a requisition calling a meeting; but the mere act of signing a requisition for calling a meeting would go for nothing, and, besides, nothing had come of that meeting, which could not have been the case if the alleged "atrocious attack" had deserved any serious notice. Perhaps the House did not know that the Brighton people were very sensitive on any matter relating to his Majesty; the least thing said against the King would frighten them out of their wits,—not because they were more loyal than others; on the contrary they were great radicals; but because they were afraid the Court would spend less money amongst them. He took it for granted, then, that no stress should be laid on the advertisement for calling the meeting, as it would have been followed up if the matter was considered to call for it; and in his opinion, if the attack upon his Majesty had been a libel, the people who signed that requisition would have been as guilty as Mr. Cohen for not having carried it through. If there was a division, he should certainly vote for the Motion, for they had never heard what had become of the libel on his Majesty.

Sir *Charles Burrell* said, that an hon. Gentleman had stated, that the Poor-law Commissioners had found fault with the Magistracy; but the hon. Gentleman should recollect that they had found fault with the Magistrates of the midland counties as well as those of Sussex; and, therefore, observed the hon. Baronet, "We are all in the scrape." The Poor-law Commissioners, however, did not find fault with the Magistracy for too much severity, but for being wasteful and profuse in making orders for the poor. Their's was not a ground of objection on the score of severity, but rather for their over indulgence. The hon. Member did not seem to have read the Poor-law Commissioners' Report sufficiently to understand it. With regard to the observations made with respect to a friend of his, the prosecutor in this case, he could state, from the authority of a letter which he had got, that every word which the noble Lord (Lord George Lennox) had stated with regard to that hon. Gentleman was perfectly true. He was brought into this affair by accident; it was by the request of his brother Magistrates that he took it up; he did not put himself forward; but when they proposed it to him, he said, "I shall never flinch from what I consider, and my brother Magistrates consider, it is my duty to do." To this day he (Mr. Mabbott) did not repent it; he believed it was his duty; and he had stated that was it to be done again he would do it. He would do what his brother Magistrates considered was his duty to his country. He was an honourable man, and possessed as much humanity of disposition as any man; and it was too much for the man that was prosecuted to state what he had of that Gentleman. It was a very singular thing as it had been already observed that, in the very paper in which Mr. Cohen had given an account of the Debate which took place on the presentation of his petition, the following week after he had petitioned that House to release him from prison, there was an article almost as libellous as that which he now suffered for. Here was one paragraph which he would just read to the House. Mr. Cohen said:—"To preserve order is the duty of the Magistrates; and your present knowledge of the state of the country, as well as your recollection of its condition during the last four or five years, must convince you that there never was a more useless set of men than these said country Magistrate Squires, on the preserving of whom in opulence, if you believe them, the welfare of the country depends. If one of your labourers were to undertake to make a ditch, and was unable to perform his task, you would turn him away as a worthless impostor; but our parson and squire Magistrates have undertaken to preserve order; and the proof of their inutility is your present condition." Now, he begged to observe, that there was not one clergyman in the county of Sussex on the commission of the peace; there never had been, within his memory, or in the recollection of any man living; for there had always been found sufficient gentlemen to serve without them, and they did not wish to call upon clergymen to do that which at best was looked upon as an invidious office. Mr. Cohen continued:—"Not that I give them credit for being able to preserve order; they cannot. They are quacks and impostors who receive money and respect from you under pretence of doing that which neither they nor any other person can perform." Now was it to be tolerated that Magistrates were to be called quacks and impostors, as Mr. Cohen had stated them to be. This was the language of the individual who came forward to pray for a remission of his punishment, and at the time he was pleading for a remission of his sentence he attacked the magistracy in this way! He left it to the House to judge, whether, under circumstances which showed so little contrition, Mr. Cohen was entitled to the clemency of that House? He thought the House would use its powers extremely ill in interfering with courts of justice, so long as those courts did nothing improper, so long as they did their duty. It was also the duty of the courts and that House to uphold the Magistrates. As to the office of a Magistrate several observations had been made; he had for many years been a Magistrate, and he could for one say, that he had found its duties very irksome, and he should be very glad to decline the office if he were sure they would be able to find efficient justices without him; but he would not shrink from the performance of those duties, while he considered he could be of any service to the country.

Mr. *Herbert Curteis* said, he coincided in all that the hon. Baronet (Sir C. Burrell) had stated with regard to the prosecutor; but, at the same time, he must state, that this was not a prosecution undertaken by the Magistrates of Sussex, but that that gentleman (Mr. Mabbott) was put forward as the tool of certain other gentlemen who did not like to show themselves, and to that very moment no other person had appeared who prosecuted. He, with others, who, in the first instance, tried to stay this prosecution, because they considered it more likely to do harm than good; for if the publication had done harm, the prosecution had done more, because it caused the paragraph to be circulated a hundred times more; whereas he was convinced, that if it had been left alone, after a short time it would have been forgotten, and have sunk into complete and utter oblivion. After having tried to stop the prosecution, which they failed in, he and his friends afterwards felt bound, when called upon, to put in an affidavit to mitigate the punishment of Mr. Cohen. He did not regret having done so, if he thought that that affidavit went at all to lessen the punishment. In that affidavit he said, that he had been for a long time a reader of the "Brighton Guardian," and that he did not think the editor could be justly charged with having excited the peasantry to acts of violence; and he went on to state in the same affidavit (well and cautiously worded), that, on the contrary, he believed that at the time of the fires there were many articles published in that paper which went highly to condemn and point out to the rustic population the wickedness of the fires. In giving this opinion, though he might have offended some brother Magistrates, yet he did not hesitate to put in that affidavit; and he would not hesitate to say that this was a case of great severity. As for the charge of bringing the Sussex Magistrates into contempt, he, as a Magistrate, would scorn such newspaper paragraphs. If the papers chose to abuse him he cared not for it; he was known to his friends and his neighbours; and he trusted they would not be influenced by them, but do him justice if he deserved it; and therefore he hesitated not to say, that this prosecution—brought forward, he had no doubt, by persons actuated by upright intentions—but he repeated, it had done more, infinitely more, mischief than good. He could bear out what the hon. member for Lewes (Sir C. Blunt) had said, namely, that the editor of the "Brighton Guardian" was quite ready to make any reasonable apology for having inserted this attack on the Magistrates, and to state his regret for bringing the Magistrates into disrepute; and, in justice to his own character, he expressly stated, that he would not submit to the charge of having excited the peasantry to acts of violence. In conclusion, he would only say that, if the hon. member for Brighton pressed the question to a division, he (Mr. Curteis) should vote in favour of the Motion.

Major *Beauclerk* regretted that he had to address the House on this subject. He wished there had been no occasion for his so doing, but he wished to see equal justice dealt out to every individual. He must look on this as a case of exceeding hardship. Mr. Cohen had been sentenced to six months' imprisonment, and taken from his own home into a foreign country. Gentlemen might laugh, but he called it a foreign country. Mr. Cohen was taken from his home to a foreign country; and now his Majesty's Ministers had sat out the whole House, at half-past two o'clock, to have the satisfaction of saying that the Whig Administration had shut up this individual. The whole Administration and their friends would get the credit for this act. He spoke the sentiments of the country, when he said that it was to-morrow morning to go forth to the country, that the liberal Whig Administration had made another victim to the Libel-law. It was evident to every man, that the Whigs had abused it more than any administration which had been in existence for some years, for so short a time. Yet he did expect, that this unfortunate individual, who was allowed by all parties—even by his hon. friend, who thought him guilty of a libel on the Magistrates—to have been harshly treated, and that six months' imprisonment was an exceedingly hard punishment. Mr. Cohen had all the prejudices of the country to stand against, and he was now punished for a crime which Lord Brougham was the first to commit in that very House. Did not Lord Brougham hold up the Magistrates to reproach and contempt more than any paper ever had done? And now this individual, who, because he did not happen to publish a Whig paper, was to be singled out for severe chastisement.

Mr. *Wigney*, in reply, said, that, as the House were so anxious to come to a conclusion on this matter, he should not obtrude long upon their time. He should observe upon one of the points mentioned by the noble Lord, the member for West Sussex, that he had rather unfairly brought before the House what this individual, Mr. Cohen, had said subsequently to the present affair. Now, that ought not to have been mentioned ; and he was sorry to observe that the hon. members for Shoreham had taken the same course. It was rather unfair to take up a paper and pick out certain paragraphs without the context. Why, in that way, they might extract libels from any paper. There was one other point which he must allude to, and which had been skilfully handled by his noble friend, the hon. member for King's Lynn ; that was, that a requisition had been got up against this unfortunate individual, and signed by a relation of his (Mr. Wigney's) because this editor, in the course of a discussion upon a political subject, did in his paper state that which it was thought tended to libel his Majesty ; so the requisitionists, without taking the subject into consideration, determined to call a meeting ; they did, and it evaporated. Without saying another word upon the subject, he must beg leave to take the sense of the House upon his Motion.

The House divided—Ayes 27 ; Noes 58 ; Majority 31.

List of the AYES.

Aglionby, H. A.
Blake, M. J.
Beauclerk, Major
Blunt, Sir C. R.
Buller, C.
Curteis, H. B.
Curteis, Capt. E. B.
Gully, J.
Faithfull, G.
Fitzsimon, C.
Hawkins, J. H.
Hume, J.
Lalor, P.
Lennox, Lord W.
O'Dwyer, A. C.
O'Connor, F.
Ord, W. H.
Pease, J.
Ruthven, E. S.
Ruthven, E.
Roebuck, J. A.
Vigors, N. A.
Walter, J.
Wason, R.
Wallace, T.

TELLERS.

Kemp, T. R.
Wigney, J. N.

HOUSE OF COMMONS,

Wednesday, March 5, 1834.

MINUTES.] New Writ ordered. On the Motion of Sir John Wrottesley, for Paisley.

Bills. Read a first time:—Foreign Enlistment Act Repeal.—Read a second time :—Mutiny ; Sugar Duties ; and Equitable Apportionments.—Read a third time :—North American Postage.

Petitions presented. By Messrs. Strickland, Grote, Baines, Greene, G. W. Wood, and Pease, Lords Lumley and Morpeth, and Sir R. Ferguson, from a Number of Places, for Relief to the Dissenters.—By Mr. Duncombe, from a Number of Places, for Relief to the Agricultural Interest ; and against any Alteration in the Corn Laws.—By Sir Thomas Freemantle, from Stafford, against the Stafford Disfranchisement Bill.—By Mr. R. Wallace, from Glasgow, for the Abolition of the Corn Laws ; and from Eaglesham, for Relief to the Hand-loom Weavers.—By Mr. Johnston, from one Place, against the Existing System of Church Patronage in Scotland.—By Colonel Leith Hay, from the Shipowners of Peterhead, for the Repeal of the Reciprocity of Duties Act.—By Mr. Charles Fitzsimon, from two Places, for the Repeal of the Union ; and from St. George's, Dublin, that the Provisions of the Valuation Act may be Extended to them.—By Sir Ronald Ferguson, from Nottingham, for the Repeal of the Corn Laws ; and from Kenilworth, that the Elective Franchise of Warwick may be Extended to that Place.—By Mr. Pease, from Hillsborough, for Mitigating the Penal Law for Offences against Property.—By Mr. Chichester, from the Deanery of Craven, against any Measure tending to weaken the Efficiency of the Established Church.—By Mr. Feargus O'Connor, from Rolleston, for the Abolition of Tithes.—By Mr. Halcombe, from Carrickfergus, against the Disfranchisement Bill.—By Mr. Littleton, from Lannock, against any Measures injurious to the Interests of the Established Church.

HAND-LOOM WEAVERS.] Colonel *Torrens* presented three Petitions from Bolton, Lancashire, and its vicinity, praying for the Appointment of a Select Committee to inquire into the Distress, which existed among the Hand-loom Weavers, and to adopt the most practicable mode of Relief. The first of those petitions was signed by 10,000 persons ; the second by the Magistrates, the Boroughreeve, and the Clergy : and the third by forty-five of the manufacturers themselves. The prayer of the petition suggested the forming of Local Boards ; or any other mode which could afford the desired relief. He was glad to find that his hon. friend (Mr. Maxwell) had given notice of a Motion to a similar effect ; he begged of his Majesty's Government to give assent to it, and permit it to pass without any opposition. No doubt great benefit accrued to society from the introduction of power-looms ; but they superseded hand-weaving, and of course threw the hand-weavers into great distress. It was seldom that a general change took place for the benefit of the public, without entailing partial distress on some particular class ; and it was the duty of the public to relieve those classes which suffered. Whatever mode of relief might be suggested, it was clear that something ought to be done speedily ; perhaps a more efficient mode of relief might be found out than what the petitioners suggested ; but something should be done to afford speedy relief to their great distress, or it would come too late. They felt, too, that they were not directly represented in that House; which aggravated their condition, and impressed them more strongly with the notion that the attention of that House should be distinctly called to their case.

Mr. *Bolling* bore testimony to the privations under which the petitioners were suffering. He did not know whether a Board of Trade was applicable to their situation. One had been instituted, however, at Glasgow, and voluntarily adopted by the masters themselves. He begged to call the particular attention of the House to the propriety of appointing a Select Committee to inquire into the grievances of the petitioners, with a view of remedying them.

Mr. *John Maxwell* said: Sir, in answer to the question of the member for Bolton, I beg to repeat my conviction of the benefit of such regulations as would secure to the weaver the utmost remuneration for his severe toil, which the interests of the trade, the fair profit of the manufacturer, and the means of the consumer, will permit. At present under the absence of such agreements, and compacts, or rather the absence of legislative sanction, the reckless speculations of persons with more ambition to drive an extensive sale than resources or sympathy, force labourers, in a famishing condition, to give their work at prices unnecessarily low for the consumer, and utterly ruinous to the workman and his family; and not only not beneficial but absolutely injurious to sound and substantial manufacturing establishments. For these wish to give and continue to give as good prices for labour as the selling price of their stocks allow, and are driven to low prices by the competition of speculators and half-paid weavers, by whose joint selfishness and misery they are undersold. Machinery, taxation, and protecting duties, united to absenteeism on the part of the rich, immigration on the part of the Irish poor, and reduction of soldiers and sailors, all contribute to this state of excessive supply of weavers, and low price of goods; and each and all of those obstacles to the adequate remuneration of labour are extremely aggravated by the deficient circulation of money under the Bank cash payment. Were the suffering of this industrious, moral, well-informed, and very numerous class of men to be beneficial to the community, some consolation—some pretence for its continuance—might be alleged; but on the contrary, the tradesman, the farmer, the shopkeeper, and householder, all suffer from their destitution; while the wealthier classes are obliged to make up in charity donations, subscriptions, and assessments, far more than any saving in getting below their value the productions of their suffering countrymen. Besides, that the Church and schools were deserted by many of these men and their families for want of clothes—the bridewells and gaols were filled—and crime and vice were upon the increase, as the Kirkintulloch petition and the statements of that able and well-informed gentleman, Mr. Clelland of Glasgow proved. Now, Sir, even the last article to which poverty drives these men for almost their sole subsistence (oatmeal) is subject at this moment to a duty of 100 per cent. If corn, woollen, cotton, and silk be property, so is labour; and if they merit protection from competition from less taxed commodities, does not labour demand equal protection? Let us protect British industry at its source, and aid human welfare, until we can, by reducing taxes, and placing the debt more on the wealth and less on the poverty of the nation, arrive at free trade, without sacrificing the welfare of one class, and consequently the loyalty, morality, and the peace, power, and comfort of the empire.

Mr. *Baines* supported the prayer of the petition. There was no description of persons in this country who laboured under greater distress than the hand-loom weavers, who had suffered the most extreme privations from the difficulty of obtaining a proper price for their labour. In so saying, he did not wish to be considered as attacking the use of machinery, which had extended itself to the great benefit of the country at large. He thought the recommendation in the petition of the establishment of local boards of trade deserved the serious consideration of the House; he thought they would do much good, for they would combine the masters and the workmen in one common object, and prevent the institution of the trades' unions, which brought the masters and workmen into collision. He therefore, supported the prayer of the petition, but without pledging himself to all its details; for with some of the inferences to be drawn from it he could not conscientiously agree.

Mr. *Hardy* thought, that in a short time the Table of the House would be loaded with petitions from hand-loom weavers, if the present system of exporting the raw material to foreign countries were suffered to go on. In the year 1832, millions of pounds of wool and yarn had been exported and manufactured in foreign countries, and then these countries, as they could get the yarn, imposed a duty upon the manufactured article, so that it was impossible for the manufacturer in England to compete with them. The raw material which used to be the support of thousands of industrious persons, was sent abroad, and thus the means of employment was taken from the hand-loom weavers, either of cotton or woollen goods. If it was necessary that the artisans of the country should be supported, the House should at once interpose, and put a stop to the further exportation of the raw material.

Mr. *Fleetwood* said, if any person should stand up upon the present occasion it was himself. As the hon. member for Leeds had alluded to the Trades' Unions, he would say that the hand-loom weavers had borne their distress with a better grace than almost any other class. He thought the House should at once institute an inquiry into the extent of their distresses, if it were only to show that they were worthy of the attention of Government as well as any other class, and as a reward of the patience with which they had borne their sufferings. He gave his cordial support to the prayer of the petition.

Mr. *Gillon* begged earnestly to support the prayer of these petitioners, and to call for the sympathies of the House on behalf of this most respectable, most industrious, most intelligent, yet most oppressed class of his Majesty's subjects. Hon. Members were probably not aware of the immense numbers dependent on the hand-loom for their support. It appeared from the investigation before the Committee of last Session, that they amounted to not less than half a million; and he was sure that the estimate was rather under than over the truth. The hon. member for Ipswich, in seconding the address, in the statement of manufacturing and commercial prosperity which he had made to the House, and which he believed existed only in the brain of the hon. Member himself, had alluded, among others, to the hand-loom weavers; he had stated, that they were now in a comparatively flourishing condition; that there had been a rise of twelve per cent on their wages; and that they could find employment for their children in other branches of productive industry. He did not credit the statement when it was made, but he had since taken care to inform himself more minutely on the subject, and he found that the hon. member for Ipswich had been most grossly misinformed. It was true that a rise of from ten to twelve per cent had taken place on the prices of the finer fabrics since the worst times of last year; but he begged the House to attend to the amount of this rise. It had been proved that the hand-loom weavers of the finer descriptions could earn only about 5*s.* 6*d.* per week. A rise of twelve per cent on this would bring up their wages to not more than 6*s.*; but in the coarser fabrics, it had also been proved that the weavers, working from fourteen to sixteen hours a day, could not earn more in clear wages than 4*s.* 5*d.* per week. A rise of twelve per cent on this would not bring their wages up to 5*s.*, out of which they were to provide lodging, cloathing, food, and education for their families. But the fact was, these weavers of the coarser fabrics had not experienced a rise of more than from five to six per cent. He begged to ask what was the object of all Government?—For what each member of society resigned a portion of his individual liberty? Was it not to obtain security for his life, and protection to his property? This was all the hand-loom weavers demanded. They prayed to be protected against the unprincipled speculations of those who, embarking in the trade without capital, were only enabled to maintain themselves in it by the ruin of the more respectable manufacturers, and the starvation of the industrious operatives. In this prayer they were joined by the respectable manufacturers themselves. This was the meaning of the boards of trade for which they prayed. He was much pleased with the petitions presented by the hon. member for Bolton, emanating as they did from the master manufacturers, and from the clergy and Magistrates as well as from the operatives themselves. He trusted that in this appeal to the House they would not be met by the cold-blooded speculations of political economists. They complained of a practical grievance, and they demanded a practical remedy. If that

House did not step forward to protect them—if their country treated them as a severe step-mother instead of as a kind and fostering parent—the social bond was at an end; and where no protection was afforded, allegiance could not be expected. The hon. Member concluded by tendering his most strenuous support to these petitioners.

Mr. *Mark Philips* considered, that the tendency of the discussion which had taken place only showed that hon. Members were at variance as to the different nostrums that were calculated to remove the difficulties under which the petitioners laboured. Although he felt as deeply interested for the interests of the petitioners as for those of the manufacturer, he should consider himself as guilty of avowing a dishonest opinion if he held out any hope to them of relief by the establishment of boards of trade. If he was convinced that the adoption of such a course would benefit the petitioners, he would give the petition his most hearty support. Should, however, a Committee be appointed on the subject, and he had the honour of taking part in that Committee, no one would enter more zealously into the service than himself. He, however, was of opinion that no beneficial results could arise, and he would therefore not foster hopes and expectations that could not be realised.

Sir *Francis Burdett* considered it necessary, in consequence of the course taken upon the presenting of the petition, to draw the attention of the House to the adoption of some regulation for the government of its own proceedings. If discussions like the present were to take place upon the presentation of every petition, it would be impossible that the business of the country could be carried on. Numbers of hon. Members were waiting to present petitions, and if no limit were given to discussions upon questions, perhaps that would never be brought before the House—if abstract principles of trade were to be talked of for hours together, it would be impossible that half the Members of that House could present their petitions. He was sure, that every Member would agree with him, that the removal of the distress of the country equally animated the breast of every Member in that House, but unless some different practice was adopted, it was impossible that all the distresses of the country could be made known. What, therefore, he should propose was, that the old practice relative to presenting petitions should be renewed; that hon. Members in presenting petitions, should simply state their object, the general opinion which they entertained with respect to them, and conclude by praying that they might be laid upon the Table. Too much valuable time was consumed in the presentation of petitions and premature discussions. He hoped hon. Gentlemen would adhere to the former system of presenting petitions without enlarging on their contents before the due time.

Mr. *Henry Bulwer* differed in opinion from the hon. Baronet, and deprecated all such remarks. It was of importance, that his Majesty's Government, and the country at large, should be put in possession of the feelings of the people, and be made to know the particular wants of particular classes; surely that could not be effected by any means except by presenting petitions and describing their contents. The subject before the House was a very important one; he differed from a great authority upon a main point of it. He differed from the hon. Gentleman on the left, who considered the establishment of Boards of Trade impracticable. There were many instances to prove the good effects of Boards of Trade. Let them look at France, and the continent in general, and they would find what had been effected by their institution. The corporations of France were, in a great measure, destroyed at the period of the Revolution. The consequence was, that perpetual hostilities occurred between different classes; and those hostilities were found to cease in proportion as the old institutions were re-established. He agreed with the general prayer of the petition, and must urge the adoption of some mode of redress for the petitioners.

Lord *Lumley* considered, that certainly the time of that House might be occupied unfairly by some hon. Members presenting too many petitions from their own constituents, to the exclusion of others; but he would say, that no petition deserved the attention and time of the House more than the present, which had been submitted to it.

Mr. *Fielden* remarked, that two hours and a-half had been spent yesterday upon a subject not more important than the one now under consideration. A numerous class was suffering the greatest distress, which arose as much from bad remuneration, as from scarcity of work. There were a great many points to be considered on that subject, for remedies should be sought for one cause of the distress, as well as for another. It was not the fault of those persons who were suffering, nor yet was the distress to be attributed to power looms. The hon. Member read a statement, for the purpose of showing the great and gradual depression in the price of labour of the hand-loom weavers from 1795 to 1833, in the latter of which years the price was 5*s*. 6*d*. per piece—only one piece being within a man's power to make in a week. Out of that 5*s*. 6*d*., he had also to submit to a reduction of 1*s*. 4½*d*. before he could provide himself or family with coals. Then 4*s*. 1½*d*. was all the poor man got: and, in Bolton, there were not less than 23,500 men earning so much and no more. According to a statement which had been made upon inquiry, it was ascertained, that, in Bolton and its neighbourhood, there were not less than 70,000 hand-loom weavers; and although mills had been erected to a great extent, the persons were in full work, but they only received 4*s*. 1½*d*. a-week each. He would read to the House an extract from a Report as to these poor men—[*No, no*.] He must make his statement to the House; and he would make it, unless he was put down, in order to show what these poor men were suffering. One man, who was engaged in making muslins—which were an article consumed by the rich—was asked what he had for breakfast, and he said, two quarts of butter-milk, which he got for 3*d*. The man was then asked, what he had for dinner, and he said, two quarts of buttermilk: and, if he could procure them, he added potatoes, when they were cheap. When asked what he had the remainder of the day, he answered, sometimes nothing, and sometimes two quarts of buttermilk again—at times, one pound of oatmeal. The House had heard much of the Irish having been reduced to buttermilk and oatmeal; but he could state for a fact, that there were hundreds of thousands in England, who were equally badly off. He concluded by hoping, that the House would listen to the prayer of the petitioners, and grant the Committee of Inquiry.

Mr. *Methuen* said, the hon. member for Oldham had needlessly wasted the time of the House, in going into details which were only applicable for a Committee of Inquiry. As he was on his legs, he would take the liberty of making a suggestion, which he trusted would be adopted by the House. If hon. Gentlemen who had petitions to present on the same subject, would present them in a lump, and not one by one, as they did now, it would save much valuable time, and this could be easily ascertained by hon. Members consulting with each other. If some plan were not adopted, it would be quite impossible for hon. Members to lay all the grievances of the country before the House.

The *Speaker* said, it was impossible for the human mind to suggest any distinct or positive plan for such a purpose. It must be left to the discretion of each individual Member. The subject-matter of petitions was of so very varied a nature—some were of so slight, and some of so serious a character—some were so intricate, and others so clear, that it must be quite obvious, as they varied in their nature, the option of dwelling upon them at greater length, or not, would occur to different persons. As he had said before, that must be left to the discretion of hon. Members, who could have no object in wasting the time of the House. Anything not referable to the subject of the petition, was a waste of the time of the House. He believed, if persons presenting petitions, confined themselves to the subject matter of such petitions, less time would be employed.

Mr. *Ruthven* would confine himself strictly to the petition before the House. It was the petition of persons who had not found so many advocates in that House, as either the commercial or landed interests, and who had not so many friends as the Church Establishment or the tithes. These persons were destitute—they were reduced below what many persons could form an idea of. No person knew their condition better than the hon. member for Oldham, and the country ought to feel grateful to him for laying their case before that House. It was difficult to say what should be done for them—their wages were reduced so low, that they were unable to subsist. This had been caused by the vast increase of the productive manufacturers, which, although it had made fortunes for many, had reduced thousands to misery and poverty. Much of this might be ascribed to the introduction of steam machinery. They could not hope for peace, comfort, or tranquillity, unless the distresses of these persons were relieved; and he trusted, that the hon. Member who had presented the petition, would move for a Committee of Inquiry on the subject.

Mr. *Duncombe* said, that the best plan would be, to move for a Committee of Inquiry, where evidence on both sides could be taken. He must say, that the length to which these discussions ran, far exceeded the bounds of moderation ; and it was impossible, that the business of the country could go on while the time of the House was occupied in discussing the merits of petitions. There were many other subjects which required the attention of that House, and 13 or 14 hon. Members were waiting with petitions to present upon various subjects, which it was impossible they could present, if the present plan were persevered in. He hoped hon. Gentlemen, in future, would abstain from consuming so much time in these discussions.

Mr. *Cobbett* did not see, that the House deserved the lecture which the hon. Gentleman had read to them. He was told, that the petition embraced 70,000 persons; and he was told by his hon. Colleague, that there were 600,000 persons in the same state of distress, and, therefore, if that were not a subject worthy of their attention, he knew not what was. He considered, that their constituents would be better contented with their conduct in discussing that petition, than if they had passed it over without comment. He, at least, must say, that he most cordially supported its prayer.

Petition laid on the Table.

OATHS UNDER THE IRISH REFORM ACT.] The Order of the Day for the second reading of the Carrickfergus Reform Bill, having been read, and Mr. O'Connell having risen to move the second reading of that Bill,

Mr. *William Roche* begged his hon. and learned friend's permission to intrude for a few moments on his privilege, by offering to the right hon. the Secretary for Ireland, a few remarks on a subject arising out of the interchange of some observations which took place yesterday evening, between the right hon. Secretary and his (Mr. Roche's) hon. and learned friend, in reference to the Irish Reform Act. In those observations he (Mr. Roche) understood the right hon. Secretary to say, it was his intention to introduce some amendments, or correct some defects, in that Act, whenever an improvement of the English Acts should be brought under the consideration of the House. He (Mr. Roche) would, therefore, thus early take the liberty to suggest to the right hon. Secretary the propriety of including, amongst those amendments in the Irish Act, the removal of an anomaly, a disadvantage, and injustice, which, whether inadvertently or otherwise, was suffered still to subsist,—in the necessity imposed on Roman Catholic voters, and on them alone, of taking the Oath of Allegiance, and producing to the Returning Officer at each election a certificate of their having done so before they could be permitted to exercise their elective franchise. That this was both invidious, unwise, and prejudicial, tending, as it did, to cast an undeserved imputation on the loyalty and character of the Irish Roman Catholics; tending, also, as it did, to keep alive the expiring embers of religious distinctions and sectarian feelings, which it should be the policy to extinguish, and which it was the object of the Catholic Relief Act to bury in oblivion,—the language of the preamble of which says, that its design was to "knit together all classes of his Majesty's subjects in one bond of harmony and concord." Mr. Roche proceeded to say, that it proved further disadvantageous, especially to the interests of popular candidates, in perhaps two-thirds of Ireland, whose progress in polling was retarded, and their return consequently endangered by the confusion, obstruction, and delay created in bringing up and administering this Oath to perhaps thousands of Roman Catholic voters; and that, during the very few days to which elections are now limited, while the voters of any other religious persuasion could give their suffrage at once, and thus rapidly advance the interests of their friends,—an advantage quite obvious to all those at all acquainted with electioneering tactics. Mr. Roche added, that he himself experienced this disadvantage at his election for the city of Limerick, when he was obliged to relinquish all attention to its conduction or proceedings, and confine himself to his functions as a Magistrate, in thus qualifying the numerous Roman Catholic voters, —a disadvantage that might have been fatal to his interests had it not been for the kind and preponderating feelings of his fellow-citizens in his favour. "But, Sir, (Mr. Roche continued) is it not also matter of serious consideration, that this so solemn obligation must, under such circumstances of hurry and confusion, be unavoidably administered with a precipitancy ill becoming such a solemnity." On the whole, Mr. Roche said, he trusted he had adduced ample cause and reason for the removal of so obnoxious a distinction and disadvantage. He had certainly heard it doubted whether, since the Irish Reform Act, there existed an absolute necessity for such oath and qualification; but that, as a contrary opinion rather more powerfully prevailed, and as, at all events, it was deemed safer not to dispense with its practice, it surely became necessary to clear up all doubt, and remove every uncertainty in so important a matter.

CARRICKFERGUS DISFRANCHISEMENT BILL.] Mr. *O'Connell* then proceeded to move the Second Reading of the Carrickfergus Disfranchisement Bill. In doing so, he was exceedingly glad to congratulate the House on knowing that those who objected to some of the details of the Bill, did not object to the principle of the measure, and, therefore, that this reading of the Bill would not be opposed. This obviated the necessity of his trespassing at any length on the attention of the House. This much he desired to say; he had not volunteered this task,—on the contrary, he had desired to avoid it,—but it had been forced upon him as an imperative duty, in consequence of his having been the Chairman of a Committee which decided that Mr. Dobbs had been returned as the Representative of Carrickfergus by bribery and corruption. In the discharge of this duty he entertained not the slightest party feeling. The Bill he brought in was simply for disfranchising the borough of Carrickfergus, without proposing any substitution. He did not think, however, it would be doing Ireland justice to take away one of her Representatives without substituting another in his place; and, in his opinion, if a substitution should take place, that substitution ought to be given to another part of the province of Ulster. He had understood it was the intention of the hon. member for Donegal to nominate another part of that province to which the franchise should be given; should that hon. Member do so, he should feel it his duty to support such a proposition. At present his Bill was purely one of disfranchisement, without regard to any substitution. In stating the grounds for his Motion he should be very brief. In the election to which he had alluded, it was proved that the practice of bribery was fast rooted in that borough, and that it had been of long standing. The contest appeared to be between two noble families, who struggled for the supremacy; and whoever succeeded, did so at an enormous expense. After the passing of the Reform Bill, there was, in most places, a strong contest between Reformers and Conservatives, but in Carrickfergus there was no struggle of that kind. In Ireland there was generally a struggle of a different kind, namely,—upon the subject of religious differences; but, at Carrickfergus, there was neither a religious nor political distinction, it was generally a mere question of pounds, shillings, and pence; and whoever had the longest purse carried the election. He took this opportunity of totally acquitting the electors of Carrickfergus of allowing any political or religious opinions to influence their votes. There was one family which, in order to increase its interest, made fifty-three tenements, with three potato grounds, worth some 3*l*., 4*l*., or 5*l*. a-year, in fact, as tenants at will, but apparently in perpetuity; yet it appeared that, at the last election, only seventeen of those persons voted for the person who gave them subsistence; and, consequently, there must have been a very strong reason for the others voting against the interest of the person who gave them bread to eat. If the practice of bribery were confined to the poorer classes, there might, possibly, be some extenuation of the crime; but it extended itself to other classes. One of the individuals who had been bribed refused to take the bribery oath when tendered. He had a paralytic conscience,—it was dead at one side (that on which he was bribed), but alive on the other, and he rejected the oath. Woe to the individuals of higher rank who had brought that wretch into the situation of refusing to give value for the money he had received, or of burthening his conscience with the further crime of perjury! As Christians, it was their duty to abolish the temptation to the commission of such offences. To show how far the public mind in Carrickfergus had been contaminated, he would appeal to the evidence of Mr. Brierley, a Magistrate, an active partizan, and one of the committee of a candidate who was examined before the Committee appointed by the House. That gentleman denied everything; but in the course of the investigation, a letter from Mr. Brierley was read, dated from the election committee-room, referring an elector to his agent, Mr. Legg, which agent offered the man a bribe of 6*l.*; and it also appeared, that Mr. Brierley accompanied the agent to the elector. He was sorry to be obliged to mention the name of an individual who was, by his education, a gentleman, —he meant the Rev. Mr. Cheyne, of the Established Church;—but the House could estimate what was the state of the public mind in Carrickfergus, when that reverend gentleman held in his hands a sum of money which he knew was to be distributed in bribery. There was no doubt that it was for such purposes. How contaminated must have been the public spirit when no species of shame was attached to such proceedings, even in the person of a clergyman! The words of the witness before the Commissioners proved, that the only feeling which existed was one of regret on the part of those who had not the means of being corrupted, because they had not a franchise to sell. After the first examination that took place before a Committee of that House, in which he was Chairman, the Corporation demanded a re-examination. That was granted to them; and what was the evidence after all? Why, by the Report of the Committee, it was pronounced to be a case most deserving of disfranchisement. He would trouble the House with one fact more. The Corporation of that town actually wanted to take the franchise into their own hands; and he could prove, that the sum of 450*l.* was subscribed towards disfranchising their own freemen. Mr. David Legg, who was the acting man at that moment in London, to prevent the disfranchisement of this borough, was the agent of the Corporation upon the occasion he alluded to. The same Mr. Legg swore, that he only bribed five persons; but Mr. James Legg, his brother, concurred with a Mr. Cohen, in stating, that they had bribed 214 persons. That gentleman, who was so active in the work of corruption, instead of being tarnished by that, was rewarded by being appointed to the office of High Sheriff of the county of the town of Carrickfergus. The same gentleman would probably be mayor in some few years hence; and on a future occasion that House would have the pleasure of seeing that gentleman take his seat as Member for the renovated constituency of Carrickfergus. He had to apologise for having troubled the House at such length; but he considered it his duty to use the strong hand in putting down bribery, and seek the only remedy that was left to purify a corrupt constituency. He moved that the Bill be read a second time.

Mr. *Emerson Tennent* said, that, so far from opposing the Motion of the hon. and learned Member, he should give it his most cordial support. He was prepared to visit, to the extremity of severity which that House was authorised to exert, every and any individual who might be convicted of violating or abusing his elective franchise. He was as anxious as the hon. and learned Member could be, to see every individual who had been guilty of bribery at the late Carrickfergus election disfranchised. It was for the purpose of carrying that into effect, that he was willing to vote for the second reading of this Bill. But he did not hesitate to say, that he differed altogether with the hon. and learned Gentleman, as to the extent to which he wished to carry his propositions. He was willing to admit, that bribery had been carried on, to a certain extent, by one class of the electors; but it did not, therefore, follow, that this bribery had extended among them all. He should be prepared to show to the House, on the committal of this Bill, that the Carrickfergus constituency was, as a constituency, unimpeachable. The hon. member for Dover had a Motion, he believed, with regard to the business before the House. He hoped that the hon. Member would see the propriety of withdrawing that Motion, as he (Mr. Tennent) should, for one, oppose it; and he should oppose it on the same principle as he voted for the second reading of the Bill before the House.

Mr. *Halcombe*, in rising to propose an Amendment, would only say, that, with regard to what had fallen from the hon. Member who had just sat down, and who was unknown to him, it appeared to him that the hon. Member had taken an extraordinary course in declaring what his vote should be upon a proposition the merits of which he at present must be perfectly unacquainted with. It was inconsistent with his (Mr. Halcombe's) notions of legislation, that any hon. Member should state, that he should give his vote against a proposition to be submitted to the House, before he had condescended to attend to a single observation, or before the hon. Member who meant to bring forward the Motion, had had an opportunity of addressing the House. With regard to the Amendment which he meant to propose, he could assure the House, that he made this proposition to them after much, and anxious consideration,—after full examination of the course which had hitherto been pursued by the House in furtherance of just objects, when they were sought to be enforced against boroughs alleged to be in circumstances that entitled the House to deal with their elective franchises. Without one single exception, whenever a Select Committee had reported, that delinquency existed in a borough, the House had resolved itself into a Committee of the whole House, in order that the parties accused might have an opportunity of defending themselves at the Bar. The House, and not the Committee, had afterwards determined what course ought to be pursued. He hoped that the House, by now pursuing a different course, would not involve itself in a long train of inconsistencies, and lay itself open to the charge of dealing differently with different boroughs, under precisely the same predicament. Only a limited number of freemen were bad in the present case; and if they were disfranchised, all the ends of justice would be attained, and the unimpeached portion of the constituency might be left in possession of the franchise. If the House would only give the accused parties an opportunity of defending themselves, he understood that they pledged themselves to prove, that forty of the charges against individuals were destitute of foundation. He called upon the House to be consistent with their own proceedings in the boroughs of Shoreham, Grampound, Cricklade, East Retford, and all other accused boroughs; and he should not only submit an Amendment to that effect, but he should take the sense of the House upon it.—[The hon. Member, who throughout his speech had been much annoyed by various signs of impatience, now became nearly inaudible, but he was understood to say,]—He never intruded himself on the attention of the House, and he thanked the House for the kindness of its attention towards him. The House, by proceeding in the manner now proposed, would involve itself in judicial cases, not with five, but with fifty or sixty boroughs, for so many would be before the House in a similar manner. The noble Lord, the Paymaster of the Forces, had brought in a Bill, in which he had displayed what were his views, and the views of Government, as to the course which the House ought to pursue in cases of this nature. The noble Lord's Bill had allowed the accused parties the advantage of a review; and the borough itself was not to be dealt with otherwise than by an Address of the two Houses to the Crown. The noble Lord now got rid of the duties of this House by delegating its powers to three Barristers, who were to be paid so much a day for saving the Committee trouble. He felt that he was offering to the House observations worthy of any Legislative Assembly, and he was not to be deterred from his duty by taunts of any sort. The House was about to bring itself into a collision with the other House; and he would maintain, that the other House had lately risen exceedingly in public estimation in comparison to the Assembly he was addressing. The country would at last find safety in the Refuge for the Destitute. [" *Hear" and laughter.*] He hoped that hon. Members did not mean to insult his person,—if they did, he begged any man to stand forth and tell him so. He was as independent a Member as any man in that House; and humbly as he might think of himself out of it, he would yield to no man in the character which attached to him as a Member. In the case of Ashby *v.*White, in Hatsell's Reports, it was decided, that the House had no right to go further than to decide upon the fitness of the person elected to sit within its walls; and that it ought not to determine upon the delinquency of particular constituents. Mr. Canning had warned the House not to tamper with elections, lest, as a popular Assembly, it might be urged on by party spirit to act improperly in the discharge of its judicial proceedings. He would move, as an Amendment, "That the House will, on the 19th of March instant, resolve itself into a Committee of the whole House, to take into consideration the Report and evidence taken before the two Committees with respect to the borough of Carrickfergus, and in the meantime that further proceedings in the case be suspended."

The *Speaker* said, the hon. Member could not put his Motion in that shape.

Mr. *Halcombe* therefore altered his Motion as follows: "That the further proceedings of the House on this Bill be suspended, and that the House do resolve itself into a Committee on the 19th of March."

The *Speaker* did not see how such a Motion could be put. If the hon. Member wished to submit any Motion, he must proceed according to the regulations of the House.

Mr. *Halcombe* said, he was but a young Member, and must ask instructions how he was to proceed. His wish was, that further proceedings on the Bill should be suspended, and that the House should resolve itself into a Committee on the 19th instant.

The *Speaker* said, that this was only the converse of what the hon. Member had before put. The hon. Member's object was to get the House to resolve itself into a Committee, to consider certain Reports, and then, if they adopted his Motion, that they follow his further views upon the case.

Mr. *Halcombe* would move only the first part of his Amendment, "That the House would, on the 19th of March instant, resolve itself into a Committee of the whole House to take into consideration the Report and evidence of the two Committees with respect to the borough of Carrickfergus."

Sir *John Byng* could but congratulate the hon. Member on the unenviable position he had taken up as the champion of all the corrupt boroughs.

The *Speaker* requested the hon. Member to address himself to the question and not to the person, and still less ought he to address any person in that House disparagingly.

Sir *John Byng* apologised for the breach of order, and assured the hon. and learned member for Dover that it had not arisen from any want of personal respect towards him. He spoke as Chairman of one of the Committees, and, in his opinion, the evidence of corruption was so complete, that Parliament would neglect its duty, if it did not disfranchise the borough. He gave the Bill his cordial support.

Mr. *Ruddel Todd* was a member of the Committee, and thought the evidence of the bribery complete. He, therefore, should oppose the Amendment.

Sir *Robert Peel*, being now called upon to exercise functions of a judicial nature, felt himself bound to state to the House why he for one did not think himself competent to discharge that duty satisfactorily. He had no personal interest whatever in the borough of Carrickfergus, and it was a matter of indifference whether it were or were not disfranchised; but before the House divided on the principle of the Bill under consideration, which destroyed for ever the right of voting in that large and respectable town of the sister kingdom, he ventured to ask whether it possessed sufficient information to enable it satisfactorily to pronounce a judicial opinion on the question? If the hon. member behind him (Mr. Halcombe) felt a deep impression that the House was not in a condition to act judicially with perfect impartiality—if he felt it incumbent on him to call the attention of the House to this difficulty—he did not think that the hon. Member was open to sarcasms, or that he ought to be taunted as the champion of corruption. The hon. Member might act as the champion of this borough, and without any other motive than that of seeing impartial justice administered. If general corruption were proved against any borough, he could readily conceive many cases in which there would be no alternative but to make a public example, although this should be done at the expense of many unimpeachable individuals in it. Though private individuals might sustain private wrong; yet a borough might justly be disfranchised if, as a borough, it was disqualified to perform its duty of electing proper Representatives for that House. Public consideration, in that case, would overweigh private feelings; but before he came to any such determination, he must take care to know the precise extent of the corruption that prevailed. In neither of the Reports—the Report of the Election Committee, nor the Report of the Select Committee—was there any information as to the proportion of corrupt votes.

Mr. *O'Connell* said, the number of

householders was 105, and of freemen 885; and the evidence against the freemen was so strong, that they were given up by every one.

Mr. *Tennent* said, that 240 freemen out of 885 were proved to have been corrupt, but that there was not a tittle of evidence against the remainder. The number of freeholders and householders was 144, and there was no evidence against them.

Sir *Robert Peel* said, that the House must perceive, from the statements of the two hon. Members, how little was known of the facts of the case. The Committee had not given a detail of the facts on which the House was now called to act judicially. They were called on to affirm that, "Gross and scandalous corruption had prevailed at the late election for the town of Carrickfergus, and that the great proportion of the constituency, composed of freemen of the Corporation, were influenced solely by bribery in giving their votes; that similar practices have prevailed at former elections; and that the borough should, therefore, be excluded from hereafter returning a burgess to serve in Parliament." Now, that gross and scandalous bribery did prevail, he could, perhaps, with a safe conscience pronounce; but surely the parties who received the bribes, and still more, those who offered them, were the just objects on whom to visit the penalty. They were called on to dispossess the town of its franchise; but, before any opinion could be pronounced in favour of its forfeiture, it was necessary to know the precise state of the facts of the case, the details of the alleged corruption, and the extent to which it had prevailed. The charge of bribery, as it now stood, applied to the constituency generally. But there were two classes of voters in this borough, the freemen and the 10*l.* voters. Hitherto, they had no means of ascertaining whether the charge of bribery applied to one only, or to both of these classes; or whether, if both were guilty, one of them was guilty to a greater extent than the other. His wish was to obtain information. He spoke quite disinterestedly on the subject; in fact, he had not seen or been consulted by any party in reference to it; but he could not help saying, that the Report of the Committee was most unsatisfactory. The country had been agitated for two whole years by discussions on the elective franchise. These discussions were conducted in a manner which implied that the elective franchise was little less than an absolute right; and would they now dispossess persons of it upon a Report of this kind, and without any further evidence—without going into such inquiry as would enable the House to decide in a more satisfactory way than it was possible to do at present? The Committee should at least have given a digest of the evidence. In place of this, they reported an opinion, that gross bribery took place. Had they even informed the House that a majority of the freemen had been bribed, or a majority of the 10*l.* voters, they would have communicated important information. Instead of this, they had merely reported their opinion that corruption having generally prevailed, without going into detail, the borough should be disfranchised. What satisfaction could such a Report give? They ought to have dwelt on the state of the constituency, which consisted of two classes: with respect to the freemen, for example, they should have stated how many were entitled to vote, and how many, after weighing the evidence, there was every reason to believe, had received bribes at the election. They ought, in short, not merely to have given their opinion, but to have accompanied it at the same time with a statement of facts. He must say, he was not in a condition in which he could, with satisfaction to his own mind, vote for the disfranchisement of the borough upon the Report of the Committee. Another very important question arose: by the Reform Bill, a new class of constituency had been called into active existence—the 10*l.* householders. Before the House determined that this town, which appeared to be the 13th or 14th in the ratio of importance in Ireland, should altogether lose its franchise, ought they not to have the opportunity of maturely considering whether it was just to disfranchise the whole of the freemen, and whether it might not be possible in that case to find a good constituency, not open to bribery, from the 10*l.* householders? Sir Frederick Yates was one of the Commissioners appointed under the Reform Bill—a Gentleman, he was bound to believe, of intelligence, and, from the situation he filled, sufficiently capable of forming a correct opinion. The opinion given by him before the Committee was, that the freemen ought to be disfranchised, but he was favourable to the retaining of the franchise still in the householders. It would be monstrous to deprive the innocent householders of their franchise in consequence of the guilt of the freemen, and that, merely in consequence of an opinion expressed by the Committee in a single sentence, and without having the details before them of the evidence upon which that opinion had been formed. The case presented matter of great difficulty; and although it might be right, perhaps, that Ministers, as such, should not take any very decided part in the details of such proceedings, he was most anxious that Government should throw out some general principle by which such proceedings should be regulated. Hitherto the House, on disfranchising a borough, had reserved to itself the important preliminary of examining the witnesses at its bar; and, not till after due investigation, should they proceed to visit convicted delinquency with forfeiture of the elective franchise. They had passed the Grenville Act, because it was found, that when party feeling ran high, its influence was unavoidably felt in the determination of the rights of election. By the right of challenge given by that Act, and the examination of evidence on oath, the influence of party feeling had been prevented; but the utility of that would be set aside, if they were to decide upon the report of another Committee which pronounced its opinion upon evidence not taken upon oath. He was aware, it might interfere materially with the progress of public business in relation to questions of pre-eminent importance, that, on such occasions as the present, the witnesses should be examined at the bar of the House; but some scheme should be devised by which questions of this kind could be settled. He would seriously recommend the House to take into consideration the propriety of establishing some tribunal, to act under the authority of that House, and receive evidence, sanctioned by oath, on such matters, which should be called on to report its opinion in detail, verified by a reference to the facts which would give some satisfaction to a man desirous fairly to administer justice, and enable him to decide whether a case of corruption were established, rendering it expedient to make a public example, while they guarded as much as possible against committing injustice on individuals.

Sir *John Byng* felt himself called on to disclaim having made use of the expressions attributed to him by the right hon. Baronet (Sir Robert Peel) in allusion to the hon. and learned member for Dover (Mr. Halcombe). He had never used the liberty of characterizing that hon. and learned Gentleman as the champion of corruption or corrupt boroughs in that House.

Lord *John Russell* did not think it was right that Ministers should, on such occasions, take a part as a Government, in the discussion, so as to influence the opinions and votes of that House. Certainly, if they did so, the evil complained of most justly by the right hon. Baronet, of bringing party influence to bear on such questions, would, instead of being removed, be greatly and alarmingly increased. But as a Member of that House, he had, in former times, paid a good deal of attention to questions of this kind, and having gone through some very laborious inquiries, he had certainly thought it his duty to apply the best of his judgment to the different cases in detail. The right hon. Baronet complained, that, in the present instance, they had not had an examination that established the case upon oath before the Committee, and that it ought to be instituted at the Bar of the House. With regard to the latter part of the objection, the right hon. Gentleman said, in that respect, answering his own objection, that there were so many cases, that the time of the House would be entirely taken up if it were insisted on conducting the examinations at the Bar of the House. With respect to the other point, it was certainly a great and serious objection; but it was the misfortune, and not the fault, of that House. For several years he had proposed Bills to that House, which it had shown itself most willing to adopt, by which the examinations into such questions by Committees should be conducted upon oath; being empowered to summon witnesses, and go through the whole of the case, in order to enable the House to arrive at a proper judicial decision. A bill of this nature, had, two years ago, passed that House, but was rejected by the House of Lords. He had also brought in a bill of the same character last year, which had received very serious and ample discussion before a Select Committee; but he had been induced to refrain from proceeding with it in consequence of the pressure of other questions of great magnitude and importance, then demanding the urgent decision of the House. Having thus passed a bill to enable them to conduct such grave and serious inquiries before a Committee on Oath, which was rejected by the other House, they found themselves in this dilemma—either they must have an inquiry which was in some degree imperfect, by submitting such questions to a tribunal which could not have the sanction of an oath administered, or take the other alternative, and say, because the Lords refused that power, the House should sit still and allow all cases of corrupt boroughs to pass unnoticed and untouched. Whatever, therefore, the inconvenience might be, and it was certainly great, of having to act on reports of that kind without evidence upon oath, it was not the fault, but the necessity under which the House found itself; and certainly he did hope, that if another Bill should be introduced, and passed this Session, to meet the case, when sent up to the other House, it would receive a more favourable reception, and that they would be ultimately enabled to enter upon and adjudicate such questions relative to the franchise of elections, which, if not kept pure, was not worth preserving at all, with that satisfaction of mind, having every means of examination furnished to them, which the nature and importance of the subject undoubtedly required. With regard to the question immediately before the House, although the Committee had not embodied any digest of the evidence, and of those facts which induced them to come to the conclusion that the borough of Carrickfergus should be disfranchised; yet Members of that House were hardly entitled, he thought, to say that they had not read the evidence, which he admitted, was an irksome task, and therefore were not prepared to vote on the subject. He had carefully read the volume, and was amply convinced by the evidence at the latter part of it, that the borough ought to be disfranchised. The noble Lord referred to several parts of the printed evidence, and at considerable length, for the purpose of establishing the case of general bribery and corruption, extending not only to freemen of the corporation, but also to the 10*l.* householders of the borough. The evidence distinctly proved a wholesale and long-established system of corruption. The question therefore was, whether a constituency could be found, who really possessed the *bonâ fide* qualification, and against whom there was no imputation of bribery. It did appear to him, that the greater part of the 10*l.* householders having been bribed, as well as the freemen of the corporation, and especially as no attempt had been made to prove the possibility of finding in Carrickfergus an uncorrupted constituency, it was the duty of the House to carry through the present Bill, and send it to the other House. He should therefore vote for the second reading.

Mr. *O'Connell* explained. The course which they had agreed to adopt was, if the second reading was carried, on a Motion in Committee by the hon. member for Belfast, the question should be discussed, whether the franchise of the 10*l.* householders should be continued? Having no personal end to serve in the matter, he had no objection, if the House thought proper, to procure further evidence.

Mr. *Emerson Tennent* said, a petition from Carrickfergus was now lying on the Table of the House, offering to prove that an uncorrupted constituency could be found.

Mr. *James* expressed himself in favour of so extensive a franchise as would render bribery impossible. In fact, he thought it should be universal; no man had a sufficiently long purse to bribe a whole community. [Some hon. Member called, "Liverpool."] He was aware, that corruption had existed in that borough, of which he was a freeman; and it had first commenced when the present Lord Chancellor went down in 1812 to contest it with Mr. Canning. He could not help thinking, that these disfranchisement bills were partial and unjust, because they invariably confounded the innocent with the guilty.

Mr. *Aglionby*, being a Member of both Select Committees which had sat on the Carrickfergus election, was anxious to address a few observations to the House. Being altogether free from prejudice in this matter, the first question he had proposed to himself was, whether they should inflict individual hardship for public good? and in that he agreed with the right hon. Baronet (Sir Robert Peel), that cases might occur in which such a course was the obvious and direct duty of the House. The next point he had to decide was, whether there was any thing which might lead him to believe, that there could be a full, fair, and honest constituency left after disfranchising those who might be convicted of corruption. With respect to the second question, he was led by the evidence to this conclusion, that, in Carrickfergus, the leaven of corruption was so great, and had been so long in action, that an honest constituency was not to be expected. It was the evidence taken upon oath, that led him to this conclusion. To be able to form a just opinion on the force of evidence, it was not enough to see it in writing. The countenance and manner of the witnesses under examination must be observed. The hon. Member quoted some of the facts given in evidence to show the prevalence of bribery. That evidence was, he thought, quite sufficient. In fact, the only notion which the people of Carrickfergus had of independence, was to be released from the thraldrom of one family to be placed under the yoke of another. A large body of uncontaminated electors could not survive the disfranchisement of those who had been bribed; and the evidence on which he had come to that conclusion was upon oath. At the same time, he did not wish, that his opinions should bind any other individual, and therefore he was not inclined, if the House found it consistent with its forms, at some subsequent stage of the proceeding, to preclude further investigation.

Mr. *Littleton* had given a close examination to the evidence, but before he stated what the result of that examination was, he would observe, that he considered it very unfortunate that the House had not a better and more efficient mode of taking testimony. He hoped that before the next Session of Parliament his noble friend near him would bring in the same Bill which he had introduced in the last Session of Parliament, to enable a Committee to take testimony upon oath. After reading the evidence, the bias of his mind certainly was in favour of totally disfranchising the present constituency of Carrickfergus. If the hon. Gentleman, however, could show that there was any mode of obtaining an honest 10*l.* constituency, he should be acting contrary to the principles which he had always advocated if he were to oppose any measure of that description. He should support the second reading of this Bill.

Colonel *Leith Hay* having been a member of the second Committee of last Session, wished to say a few words in consequence of what had fallen from the right hon. Baronet (Sir Robert Peel) in his remarks on the proceedings of that Committee. He had entered upon it, and he could safely say his right hon. and gallant friend the Chairman had also done so, with an anxious desire to preserve the franchise of the burgh if they could do so consistently with justice, and visiting the corruption proved with its well-merited punishment. In following this principle of conduct an examination was instituted to ascertain, if possible, the means of separating the innocent from the guilty, and preserving the rights of the former—to visit with punishment those who had been satisfactorily proved to have participated in the most barefaced bribery. This investigation was carried on under the disadvantages described by the right hon. Baronet of the persons examined, not having an oath administered to them, but it so happened that the principal evidences on the first Committee, whose testimonies were taken on oath, became the most important witnesses during the second inquiry; they also gave their evidence not only with their former assertions recorded, but under the peculiar circumstance of having been in most instances themselves personally implicated and consequently unlikely to advance facts of an over-coloured description, when those points must essentially tend to criminate themselves. With regard to the injustice of disfranchising the householders, because the freemen had proved corrupt, no injustice could be made out, inasmuch as many of these freemen proved to have been bribed stood in the double capacity, and it was consequently impossible to discriminate. He had said thus much in defence of the proceedings of the Committee; and he could assure the right hon. Baronet and the House, notwithstanding his conviction that no case could be made out calculated to induce another decision than that arrived at by the Committee of which his right hon. and gallant friend was Chairman, still wishing, as he did, and anxious as he ever should be, to save any inhabitant of this country possessed of the elective franchise from being deprived of it, if that could be done consistently with public duty, he should be happy to see this case again submitted to a tribunal calculated to elicit truth, if that had not been already arrived at, and finally to decide upon the claims of the inhabitants of Carrickfergus to retain their franchise or not, as was most consistent with the public good.

Sir *Robert Peel* had not defended the conduct of the electors of Carrickfergus, as had been supposed. He had said, that if corruption prevailed in that place to the extent stated, it ought to be punished as a warning to others. He thought, if the House determined to proceed with the Bill, that it would be more convenient to enter into the investigation in the morning sittings. The inquiry would probably be got through in three sittings; but if it were thought that would interfere too much with the public business, it would be better to appoint a Select Committee.

Sir *Edward Knatchbull* was not in favour of disfranchisement. He thought that it would be much better to make it imperative for every Member to swear at the Table that he had not been guilty either directly or indirectly of bribery. He was as desirous as any Member to put down corruption, but, in his opinion, that object would be better attained by punishing the Member or candidate who was guilty of it. With respect to the present case, the evidence taken before the Committee was of so loose a character that no reliance ought to be placed upon it. It ought also to be observed, that there was not a word affecting the 10*l.* householders, and they ought not to punish the innocent with the guilty. He thought that it would be better that some general measure should be passed, by which the various Disfranchisement Bills before the House might be disposed of.

Lord *John Russell* thought that there was quite sufficient evidence before the House to justify their proceeding with the Bill. If, however, the hon. Member for Belfast proposed that an inquiry should take place before a Select Committee he would not oppose it. If there were sufficient 10*l.* householders in the town to form an upright constituency, there would be no necessity to pass the Disfranchising Bill. If there was only one Bill of the kind before the House, he should agree with the right hon. Baronet that evidence should be examined at the bar; but there were several.

Sir *Robert Peel*, after the explanation of the noble Lord, would not vote against the second reading of the Bill.

Mr. *O'Connell*, in reply, stated, that he had undertaken the conduct of the Bill with the greatest reluctance, and that he was at any time prepared to give it up with the greatest delight. As long, however, as it remained in his hands, he was bound closely to prosecute it; and to declare that he was ready to give evidence of the grossest corruption existing in the borough in question.

The Bill was read a second time.

STAFFORD DISFRANCHISEMENT.] Sir *Thomas Freemantle* moved that the Bill for disfranchising the Borough of Stafford be read a second time. He contended that the evidence taken before the Committee proved there was no nucleus in Stafford for the formation of an independent and honest constituency. He should be happy if any other course could be devised to satisfy the House; but he, at the same time, did not believe that further inquiry would lead to any beneficial result. It might, perhaps, be said that a case had not been made out for disfranchising this borough; but if it were proved, as it undoubtedly was, that a majority of the electors of this borough had been guilty of bribery and corruption, he should like to know what other course could be followed than that which he proposed? The number of electors of all classes who voted at the last election for Stafford was 1,049, and of that number at least four-fifths were proved to have received money. It would, however, be for the House to determine whether that were a sufficient proportion to justify the disfranchisement of the borough. When the House had determined on purifying the constituency of the country generally—when nomination and rotten boroughs had been put an end to—he should like to know whether, in a case like the present, the interests of private individuals ought to stand in the way of the public good. If the House refused to interfere in the case of Stafford, hundreds of similar cases would in all probability occur; and unless they put down corruption by vigorous means the reforms which had been effected would soon become a dead letter. The hon. Baronet then moved that this Bill be read a second time.

Mr. *Halcombe* hoped the same justice that was dealt out to other boroughs would be granted to the borough of Stafford. His principal object, in rising, was to call the attention of the House to a distinction that existed between this case and the case of the other boroughs against which corruption had been alleged. In the case of the borough of Stafford no Election

Committee had sat, and the evidence, which was heard by the Select Committee that had been appointed to inquire into the matter, was not given under the obligation of an oath. The Report, however, bore as hardly upon the sitting Members as it did upon the voters, and, if the intention was to act fairly, the one should not be punished, and not the other. But he would put it to the House whether it were right to found a measure so penal in its nature as the present, on testimony given in the manner he had described?

Captain *Chetwynd* said, that in justice to the constituency he had the honour to represent, he should feel it his duty to oppose the Motion of the hon. Baronet for the second reading of this Bill. The Report on which it was founded was full of inaccuracies, and this would be manifest on the face of it to any hon. Gentleman who was at the trouble of reading it. In the first place, it was untrue that a sufficient opportunity had been afforded by the Committee to rebut the charges. He had himself applied for the names of the witnesses who had been examined, but it was not until after the lapse of two or three days that an imperfect list was furnished him. He meant no disrespect to the Committee by this statement, and merely used it as a fact among others to show that full justice had not been done to the parties inculpated by the Report. Again, it was not, as the hon. Baronet stated, true that a majority of the electors had accepted bribes. The number out of the 1,049 voters who had been proved to have acted corruptly did not exceed 344. The hon. Member quoted the evidence at considerable length, and commented on it to show, that it was in many particulars most inaccurate. He then observed, that because a minority had been guilty of disreputable conduct, to punish the majority, on whom no imputation could rest, would be a great injustice. He must say, that such a proceeding would be most unjust. Severity of punishment was not, however, the best way of correcting abuses, or putting a stop to bribery; and if, therefore, instead of disfranchising the borough, they were to augment the number of the constituency, they would accomplish all that could be desired. The greater part of the voters were anxious to vindicate themselves from the imputation of corruption which had been alleged against them, and it was by them suggested in two petitions which they had presented to that House that the best mode of correcting the abuse complained of would be to comprehend within the limits of the borough the inhabitants of the town and parish of Stone, and of another place near Stafford. By such a course bribery at all future elections would be effectually prevented. But was it not clear that if this Bill were passed, it would establish a most dangerous precedent? It would, in fact, decide that any borough in which ever so small a number of voters were venal enough to accept bribes should be on that account—and notwithstanding the great majority of the voters had acted purely—disfranchised. This would be a monstrous doctrine to lay down, and, therefore, he hoped the House would reject the hon. Baronet's Motion. But there was another reason why this measure should not be carried. The hon. member for Bradford (Mr. Hardy) had avowed his intention to introduce a Bill for preventing bribery at elections, and if that measure were passed the hon. Baronet's Bill would be rendered unnecessary. He moved, as an Amendment, that a Select Committee be appointed to inquire further into the extent of the imputed corruption in the borough of Stafford.

Mr. *Ord* could not recollect any attempt to make out a case that had so signally failed as that which was made on the present occasion. There had been a total failure of the attempt to impeach the credibility of the witnesses; and, in his opinion, the Committee succeeded in laying before the House sufficient grounds for the entire disfranchisement of the borough of Stafford—a mode of dealing with the matter infinitely preferable to any extension of the franchise to the adjoining district, or to any towns in the neighbourhood; besides, if they did not adopt that course, they would lose a good opportunity of setting an example that might, and he was sure would, be beneficial to the country at large,—that would act as a warning to electors, and be received as an evidence of the value which a Reformed Parliament set upon the suffrages of unbought and independent electors. He, therefore, hoped that the Bill, as it at present stood, might pass into a law.

Mr. *Fryer* contended, that they could not have a better constituency than that which might be derived from the union of Stafford, Stone, and Eccleshall; and he should therefore vote, not for total disfranchisement, but for the extension of the franchise to those places. Not that he had the slightest objection to see every one of those persons disfranchised who could be proved guilty of bribery; but he should not, on that account, deprive honest men of the right of voting. Accordingly, he should give his support most cordially to any proposition for enabling those places jointly to return a Member to Parliament.

Mr. *Edward Buller* was well acquainted with the borough of Stafford, and perfectly concurred in the opinion, that equal weight was not to be given to evidence not taken upon oath, as to that which was sworn to; but he could not agree with the hon. member for Newport (Mr. Ord), that the witnesses were reluctant ones. The fact was, that Stafford was the very hot-bed of dissension. They were there ready to tear each other to pieces, to inflict death-blows for the gratification of their personal animosities. William Dudley's evidence was opposed. He had stated he never was bribed, which was contrary to an hon. Member's assertion. Biddulph's evidence was in opposition; but Biddulph came forward from party feeling. In the contest it was, he admitted, strange that Mr. Blount should have had 161 votes, and Mr. Chetwynd, who was so nearly connected with the town, only 121. Mr. Blount had not been much known. He was the agent of a nobleman, Lord Stafford, who did not reside there. All the objections that could be mooted would be obviated by the junction of the neighbourhood from which, as had been before stated, a pure constituency might be obtained. Warwick and Stafford, it was admitted, were equally guilty. And why, then, should Stafford be treated with greater forbearance? Treating and bribery, he considered, were equally criminal. He saw no difference in the shade of guilt of him who gorged himself with ale and hot suppers, and those who felt the gold and spent it at home. One, indeed, might be considered more brutal than the others. In Warwick 4,990*l.* was spent in twenty-eight public houses. Ought that to be passed unnoticed? Was it, indeed, because there was a noble Lord in the case who looked proudly from his castle walls on the scene of so much corruption?—who came, like Jupiter, in golden showers upon the town; who objected to the incorporation of Leamington with it, in which he evinced some taste and charity; for youth, beauty, and health, should not be wedded to the decrepitude of age. In conclusion, considering there would be no difficulty in finding an adequate constituency in the neighbourhood of Stafford, he should oppose its disfranchisement.

Mr. *Ward* confessed, that he had entered the House with no little curiosity to hear what the hon. and gallant member for Stafford would say in defence of that borough; and, though he must admit, that his hon. and gallant friend had taken up and handled, with the greatest ability, every point that could be urged in favour of his case, his hon. friend's arguments had not had the effect of shaking his opinion upon the merits of the case. He really thought that, after the ample inquiry which had been devoted to this subject, both in the Committee above-stairs and by the House, there could not remain any grounds for a division of sentiment. He would, therefore, not detain the House with any discussion, though there were one or two points on which he could not but make a remark. In reference to the witness Biddulph, whose character had been called in question in the course of those discussions, he must say, he thought the treatment that individual had experienced was hardly worthy of that House. With regard to the alleged case of a stolen watch, he (Mr. Ward), as one of the Committee, had been deputed to investigate the matter; and, being so appointed, had pushed his inquiries until he really was ashamed of going any further. There really was not the shadow of a ground for the accusation. He had now only one observation to urge against retaining to Stafford its elective franchise, and that was, the difficulty of finding a constituency for that borough. An hon. baronet had stated, that there were 434 unimpeachable freemen in that borough. He was not prepared to admit this; he did not wish to assume the guilt of any of those individuals; yet, on the other hand, he did not feel inclined to assume the innocence of all of them. Some of the witnesses before the Committee, when asked upon this point, said there might be 300, others 200, voters in the town above taking a bribe; perhaps, even the latter number might be beyond the fact. Now, the propriety of including neighbouring places in the elective franchise of any corrupt borough must depend upon the extent of corruption existing in that borough. If it was entirely corrupt, the infusion of a little pure blood would not be enough to reanimate its healthy functions. His hon. friend on the other side of the House had certainly made out a very bad case against Warwick; but he had also made a very bad case for Stafford. All his arguments went to show was, that Warwick was as bad or worse than Stafford, and should share the same fate. He hoped that it would turn out so, when the case of Warwick came before the House in Committee that evening. His hon. and gallant friend's pathetic appeal, on the ground that Stafford was a county town, he thought of no validity. The very circumstance of Stafford being a county town rendered it a more fitting case to make an example of. He should, therefore, give his hearty concurrence to the Motion before the House.

Mr. *Forster* thought, that if there were sufficient evidence to attach a charge of corruption and dereliction of duty on any of the electors of the borough of Stafford, the Attorney-General should have been instructed to proceed against such persons for their offence, rather than bring the case thus generally and confusedly before that House. What had that House done in the prosecution of this inquiry? Why, so far from punishing the offending parties for their misconduct, they had actually passed a Bill of Indemnity in favour of all those who gave evidence in proof of misdeeds in which they had themselves participated. He must urge the House not to disfranchise the whole borough of Stafford, interesting as it was by its association with the name of Sheridan, because some part of its constituency had misbehaved themselves; but rather to follow the same course as they were about to adopt in regard to the borough of Warwick, where great bribery had been proved to exist, that of increasing, rather than destroying, its elective constituency.

The House divided on the Amendment: Ayes 5; Noes 167—Majority 162.

The Bill was read a second time.

WARWICK ELECTION BILL.] Sir *Ronald Ferguson* moved, that the House resolve into a Committee on the Warwick Election Bill.

On the Motion that the Speaker do leave the Chair,

Mr. *Halcombe* rose, and, amidst much confusion, said, before the Speaker left the Chair, he would draw the attention of the House to a case of breach of privilege. The complaints he had to make arose out of a passage in the Report of the Committee on the case before the House, in which it was stated, that two petitions had been presented from the borough of Leamington, the one for and the other against the extension of the elective privilege, both very numerously and respectably signed. Now, as to the respectability of the individuals who signed the petition in favour of that proposition, he would only say, that out of 418 who were said to have signed it, no less than 280 were not to be found; not one of them were on the rate-lists of the parish; and, besides these, there were eighty-five who were lodgers, and eighteen who were rated at less than 10*l.*, and were, consequently, not at all interested in the matter. He had made a most diligent inquiry into the history of this petition, and he had discovered that it had been drawn out and set a-going by a person who was the Chairman of the Birmingham Political Union; and he would now ask of the hon. Baronet, the Chairman of this Committee, whether the Report of the Committee had not been drawn up by Mr. Joseph Parkes, the Secretary to the Birmingham Political Union?

Sir *Ronald Ferguson* said, he knew nothing about the person who drew up the petition alluded to.

Mr. *Halcombe* said, that the hon. Baronet's reply could only be accounted for by deafness on his part. He had not asked him who had drawn up the petition, but who had drawn up the Report of the Committee of which he was Chairman.

Sir *Ronald Ferguson* said, he did not know who had drawn up that Report.

Mr. *Halcombe* said, it seemed to him to be very extraordinary that the Chairman of a Committee should not know to whom the task of drawing up the Report of their proceedings had been confided. But to return to the two respectable petitions. Whilst the one in favour of the extension of the elective privilege was signed by only 633*l.* worth of the rental of the town, the counter petition against that measure was supported by freemen to the amount of 47,000*l.* rental. The hon. Chairman and Mr. Parkes had endeavoured to show that this statement was impossible, because the total rental of the place amounted to only 20,000*l.*

In this, however, they had fallen into error by calculating the rental at the old rate, which was hardly a third of its actual present value, which would be found to be upwards of 60,000*l*. The petition praying that the town of Leamington might not be incorporated with Warwick was signed by 757 out of 850 ten-pound rate-payers; thirty-seven of the 850 signed the other petition, thirty-five were absent, and the remainder refused to sign any petition whatever on the subject. He contended that the introduction of a petition such as the other was to that House, bearing fictitious signatures, was a breach of its privileges, and that that called for inquiry. The grossest falsehoods were put forward to the House, calculated to mislead it, and so artfully contrived that they could not be answered immediately, and indeed not until the evil they were designed to work was in some degree effected. He would not say that the statements charging some persons opposed to the extinction of the franchise with not being qualified as rate-payers were untrue with reference to a particular date. They might not have been rate-payers then; but they were the owners of houses who had paid their rates since, and were now qualified. The reasons alleged by the petitioners (and, be it recollected, they were almost all the independent householders of the town) for declining the elective incorporation of the town with Warwick were good and valid ones. They were not such as faction or Birmingham Union schemes would suggest; they were purely practical, and resolvable into the protection of the interests of the inhabitants. The petitioners stated, that the franchise would be destructive of the interests of the town, which had risen from a humble village by a number of co-operating circumstances —its mineral waters, its scenery, and general salubrity—to its present distinction. It was a resort for infirm persons, and those who liked calm enjoyment. During the last election persons flocked to it from the surrounding towns, for there they expected to enjoy undisturbed security; whereas, if it were made the scene of electioneering strife, the general tranquillity of the place would be interrupted, and the town would be probably deprived of the residence of its usual visitors. He would take leave to refer to what had fallen from the Chairman of the Committee. He stated, that that petition had only asserted that the possession of the franchise would be no advantage to the town. That was not the attenuated statement of the petition; and it was an injustice to the people of Leamington and a fraud on that House to put the case in that way, for the petition stated much more. Then it was said, that there was another petition very numerously signed, praying for the extension of the franchise, thus placing both on an equality, as if one were to counterbalance the other. He was not surprised at the efforts made to smother the prayer of the petition, and at the Report of the Committee, when he recollected the agency that was employed to collect materials for justifying the enfranchisement of Leamington and for drawing up the Report. When he recollected that the individual who conducted all the proceedings was the directing spirit of the Birmingham Political Council, Mr. Joseph Parkes, a man who commanded the ear of a high personage in the Cabinet—[*"Oh, oh," "Hear, hear, hear," and confusion*] —when he considered that that Gentleman was the conductor, if not the author, of the Report, he was not surprised at the attempts made. The hon. Member read the names of the following gentlemen whom he proposed to nominate on a Committee to inquire into a breach of privilege:—The Chairman of the Committee (Sir Ronald Ferguson), Lord Eastnor, Mr. Tancred, Mr. Estcourt, Lord Ebrington, Lord Granville Somerset, Mr. Plumptre, and Mr. Halcombe. The hon. Member concluded by moving the following amendment, "That a Select Committee be appointed to inquire into the circumstances of an alleged breach of privilege, as regards the signatures and presentation to the House of a Petition purporting to be signed by certain inhabitants of Leamington Spa, praying for the extension of the borough of Warwick to Leamington."

Sir *Ronald Ferguson* said, the object of the present Motion was, to prevent the House, by a side-wind, from disfranchising the town of Warwick; and every one in the House should see the necessity of not concurring in any thing that would stop the proceedings relative to that town.

Mr. *Goulburn* recollected similar cases of imputed fraud in petitioners, in which inquiry was instituted. In one case, when the facts were true, the House marked strongly its sense of the conduct of the parties, and of the outrage offered to its privileges. He hoped the Amendment would not be set aside on the ground of any inconvenience.

Lord *John Russell* saw nothing in the statement of the hon. member for Dover to induce him to vote for the course proposed by him, in preference to that proposed by his hon. and gallant friend. If the allegations of the hon. Gentleman were well founded, they might be a good reason for the appointment of a Select Committee to inquire into them; but he saw no reason why the appointment of such a Committee should prevent the House from proceeding with the Bill. He, therefore, without taking into consideration the propriety of appointing a Committee, at a future period, to inquire into the circumstances alleged by the hon. Member, would vote for the Motion of his hon. and gallant friend; and he could but say, that he considered the present course taken by the hon. member for Dover as an unwarrantable and unreasonable interruption.

Mr. *Halcombe* said, there was a petition to that effect.

Lord *John Russell* said, when the question was regularly brought on, he would not object to inquiry. But the proper business, he thought, should be allowed to go on.

The Amendment was negatived; and the House went into a Committee on the Bill for the Disfranchisement of Warwick.

Mr. *Goulburn* said, that if bribery were proved, he would not deny that the House should disfranchise, or incorporate the constituency with some other. But there should be sufficient evidence of the fact. Now, in the present case, there were only twenty-one voters who were proved to be corrupt. Of these, ten voted for one candidate and ten for another; and those bribed voters were non-residents. The proper plan would be, not to visit the sins of a few on all, but to disqualify the corrupt. One hon. Gentleman had stated that he would vote for disfranchisement, not because of the corruption, but of the undue influence of the Earl of Warwick. Now, the conduct of the Earl of Warwick was not before the House, and there was no evidence to prove undue influence. On the contrary, it appeared from the evidence of Colonel Stuart, that the candidate supported at one of the elections by his Lordship's influence was defeated. If he possessed that influence, it was odd that his friend should be rejected, when Mr. Tomes was returned. Only twenty-one cases of bribery out of a constituency of 1,300 were proved. On such facts he protested against the disfranchisement of the borough. A second Committee was appointed to investigate the whole extent of bribery, and a single case more of bribery they could not prove. Treating was another charge; but it was treating only before the *teste* of the writ, and that was legal; and was the town to be disfranchised for what was legal? If the law be bad, let it be altered.

Sir *Ronald Ferguson* said, the right hon. Member imagined there was no crime without direct bribery. But when he found persons receiving presents not only before the *teste* of the writ, but up to the time of the election, he considered that bribery. It was said that only twenty-four cases of bribery were proved. That was enough for him. Every one knew how difficult it was to prove even one case. With respect to other circumstances, the right hon. Gentleman had kept in the back ground the illegal manufacture of votes, and the consequence of the barrister going down was, that those voters were struck out of the registration. Further, there had been threats. But the whole of the facts were before the House, and he was disposed to move that the borough be totally disfranchised. If, however, the House thought proper to unite Warwick to another town, and that of Leamington Priors was so adverse to the union, the town of Kenilworth had petitioned to-day that it viewed the corruption in Warwick as so distressing that it would not object to a union beneficial to the country.

Sir *Grey Skipwith* said, knowing the feeling of the people of Leamington, he wished to rescue them from the injustice they would suffer by being joined to Warwick. The people of Leamington were seriously alarmed at the prospect of the change, from the risk of deterioration to which it would subject their property. He would, therefore, move, "that the words 'the limits of the said borough of Warwick, as far as respects the election of Members to serve in Parliament, shall comprise the parish of Leamington Priors,' do not stand part of the Bill."

The *Chairman* suggested, that the preamble was before the Committee, and it would be better to defer the Amendment until the enacting clause was under consideration.

Mr. *Hughes Hughes* contended, that the private interests of Leamington ought not to outweigh a public good. He should, therefore, support the Bill as it stood; but it was the only Bill of the four disfranchising Bills that he could support.

Mr. *Halcombe* rose, and was proceeding to address some remarks to the Committee, but was so frequently interrupted by laughter and ironical cheers, that

Mr. *Goulburn* rose to order. He put it to every hon. Member of the Committee whether such a mode of treating the statements or arguments brought before it was likely to raise or support its character as a judicial body. If the Committee were too fatigued to pursue the subject further, surely it would be better for it to adjourn than by impatience to prevent hon. Members from being heard.

Mr. *Halcombe* again rose to speak, and was proceeding to vindicate a petition from Banbury, when he was again interrupted by the cries of "*Hear, hear.*" The hon. Member said, that he rarely paid any attention to personal interruptions; but he would tell the hon. member for Cheshire (Mr. John Stanley), that if he thought proper to persevere in his insolent interference—[*Hear*]

Mr. *John Stanley* said, that he had only expressed his admiration at the conduct of the hon. and learned Member in the way which admiration and approbation were usually expressed in that House. The hon. Member had, that evening, risen five times to defend the parties who were delinquents before the House, and as he had presumed that the hon. Member had risen a sixth time for a similar purpose, he had expressed his admiration at the candour of such conduct.

Mr. *Goulburn* again rose to order. He was quite sure that, the Committee must see the necessity of avoiding such personal altercations if any subject was to be discussed. The hon. and learned Member behind him (Mr. Halcombe) had naturally felt irritated at the manner in which he had been interrupted, and had perhaps expressed himself in a manner which, in calmer moments, he would not have adopted. He could not, however, but put it to the Committee to consider the necessity of hearing patiently such arguments as might be adduced before it.

The *Chairman* said, he had no doubt the feeling of the Committee was to discuss the subject fully and patiently. Hon. Members, however, would probably feel that they could not be exempt from those signs of impatience which would sometimes occur.

Mr. *Halcombe* said, that he should make no further allusion to the personal interruption he had experienced. The hon. Member then defended the petition from Banbury, and contended that it did honour to those who had signed it, among whom was the dearest connexion he had upon earth. In rising so often to address the House, he had merely discharged his duty. The hon. Member adverted to the evidence taken before the Committee on the Warwick election, in as far as it referred to fictitious votes, and contended, that it proved that the pink and blue party had made more than 100 fictitious votes just previous to the passing of the Reform Act. He also contended, that it appeared by the evidence of General Master and others, that, where the party implicated by the Report of the Committee had made one fictitious vote, the pink and blue party had made four. He denied that the influence of the Castle was considerable in the borough of Warwick, or that it had been exercised there; but he would ask, what was the predominant influence in the town of Leamington? It was that of the hon. member for Banbury. Mr. Tomes was a great shareholder in the pump-room, and the largest householder, and in those circumstances were to be found the real spring to the present proceedings. With respect to the money which had been expended, the amount was not at all exorbitant, and was easily accounted for.

Mr. *Langdale* had been a member of the Committee, and denied that any person not a member of the Committee had drawn up the Report, as had been stated by the hon. member for Dover.

Mr. *Halcombe* asked the hon. Member if he could say that the Report had not been so drawn up?

Mr. *Langdale* would say, that to the best of his knowledge it had not. The evidence not only justified the Report, but the Committee had no choice, if they did their duty, but to make it.

Sir *George Phillips* said, that some of the remarks made by the hon. Member (Mr. Halcombe) were rather singular. He had accused his (Sir George's) hon. friend, the member for Banbury, of seeking the disfranchisement of Warwick, in order that the borough of Leamington, in which he was a large proprietor, might have the elective franchise extended to it. He thought it extraordinary that the hon. Gentleman should come forward, as he had done, with such a statement. The fact was, that so far from Leamington wishing to have the elective franchise, a large majority of the 10*l.* voters of that borough had expressly disclaimed any wish to be connected with the borough of Warwick. He however thought, that by joining Leamington and the other borough with Warwick, they might have an independent and respectable constituency; and in order that so great an object might be gained, he (Sir George) would vote for the union of Leamington with Warwick. He was sure it would be doing a great favour to the respectable and honest part of the constituency of Warwick, either to disfranchise the borough entirely, or to unite Leamington to it. In Cornwall and other places, where corrupt boroughs were disfranchised by the Reform Bill, the people were very thankful for it. So, he was satisfied, would be the people of Warwick in a few years. But as he thought that an independent borough might be created by adding Leamington to Warwick, he would vote for such union, rather than that the elective franchise be entirely withdrawn.

Lord *Eastnor* said, it had been admitted on all hands, that a large proportion of the 10*l.* voters of Leamington were adverse to the junction of the two places. He therefore thought it worthy the consideration of the House, whether they should disfranchise Warwick in consequence of the few cases of bribery which had been proved.

Sir *Robert Inglis* said, the question was, not whether Leamington or Kenilworth should be enfranchised, when the franchise was in the possession of the House, but whether a case had been made out which would justify the disfranchisement of Warwick. It was not pretended that the majority of the electors were guilty. Had they been so, it would have been but right that the minority should have been punished along with them. But he contended, that it was altogether unfair that so large a majority should suffer for the offence of a very small minority. Out of 1,277 electors, twenty-one only were proved to have been guilty of bribery. He complained also of the preamble of the Bill. It charged the electors of Warwick with being guilty of gross bribery. The charge was altogether unwarranted. The circumstance of proving one or two, or twenty-one, to have been guilty of the offence, would not justify the charge of gross bribery, as applied to the borough.

Mr. *Tower* maintained, that a case had been made out to justify the disfranchisement of the borough. With regard to what had fallen from the hon. Baronet, respecting the use of the terms gross bribery, as applied to the electors of Warwick, he (Mr. Tower) contended, that the Committee were perfectly justified in using that language. It was not to be supposed that, because they had only proved twenty-one cases of bribery, no more had occurred. When the Committee made out that number of cases, they thought it quite sufficient for their purpose.

The several Clauses of the Bill went through the Committee—the House resumed.

HOUSE OF LORDS,

Thursday, March 6, 1834.

Minutes.] Petitions presented. By the Earl of Durham, from the Presbytery of Northumberland, for the Grant of *Regium Donum.*—By the Marquess of Westminster, from the Methodists of Beaumaris; and by the Bishop of Bath and Wells, from Bath and Chester, for the Better Observance of the Sabbath.—By the Duke of Norfolk, the Marquess of Lansdown, the Earls of Uxbridge, Cawdor, Durham, and Lord Lyttleton, from a Number of Places,—for Relief to the Dissenters.—By Lord Wynford, and the Earls of Uxbridge and Delawarr—for Protection to the Established Church.—By the Duke of Richmond, from several Parishes, against the present System of levying the Rates on Turnpike Roads.—By Lord Poltimore, from Dumfries, against the present System of Church Patronage in Scotland.

Catholics and the Church.] The Duke of *Norfolk,* on presenting a petition from the Protestant Dissenters of Burnham Wood and neighbourhood, said, he would take that opportunity of stating, in a few words, his opinion upon the subject of an established religion. In his opinion it was essential to all well-ordered States, provided it did not, by its tenets, exclude others from the full enjoyment of their civil and religious rights. Upon that principle, and considering the Established

Church in this country as the religion of the majority of the nation, he should give it his most cordial support, though he differed from its doctrines upon many points. As a Peer of Parliament, he considered that he had an undoubted right to give his vote upon points regarding the Establishment, such as the dispensation of benefices, bishoprics, and other matters of that nature connected with the Church. In the course of the last Session, when the Irish Church Temporalities Bill was before their Lordships, a right rev. Prelate had expressed an opinion, that Catholic peers had no right to vote on such subjects. He differed from the rev. Prelate upon that point, and he trusted that he had the sanction of the House for his opinion. With respect to any thing touching upon the doctrines of the Church of England, any thing relating to its Liturgy, he considered himself not at liberty to give any vote; but with that reservation, he having been admitted to all the civil rights of a citizen and a Peer of Parliament, he contended that he had a right to vote on the subject.

Earl *Delaware* presented a petition from the lay members of the Church of England at Wisbeach, praying the House to watch over and guard the integrity of the Establishment. The signs of the times were such, that it behoved the members of the Church to look with suspicion upon those measures which they had been informed were about to be introduced containing further concessions to a body which had gone the length of demanding the total separation of the Church from the State. His Majesty's Ministers might be assured, that, if they acted upon those principles of bold, uncompromising support of the Established Church which they had announced at the opening of the Session, they would find themselves sustained by the people of England beyond even their most sanguine hopes. If, on the other hand, they were to desert their principles, and weakly make concessions to a body which rose in its demands, and increased its clamour in proportion as it was feebly resisted, his Majesty's Ministers might rest assured they would meet with the most determined opposition.

JUDGMENTS IN EXECUTION.] Lord *Wynford* brought in a Bill for assimilating the practice of the Courts in Ireland and England, and for the more effectual recovery of debts for which final judgment had already been obtained in any Court of Law. The object of the Bill was, to render the judgments of English Courts effectual in Ireland, and for rendering, in the same manner, the judgments of Irish Courts effectual in this country. As the law now stood, a man might recover a judgment in either of these countries; but for the purpose of rendering it effectual in the other, he must commence an action upon that judgment. By such a course he was exposed to certain delay and expense, and to probable loss of the fruits of the first judgment. These were great evils; and it was to get rid of them, that he proposed the present Bill. He proposed to effect this, by making it lawful to transmit to the Court in either country, a copy of the record of the judgment under the seal of the proper officer of the Court where the judgment had been first obtained; and on that copy being received, the party who had obtained the judgment should be at liberty to issue execution. This was a principle which might with great advantage be extended to foreign countries, if the Ministry could obtain the concurrence of their respective governments. Instances were now of frequent occurrence in which debtors ran away from this country—kept the money which justly belonged to their creditors in their own pockets, and evaded the payment of their just debts. He knew one instance which was very well known to the noble and learned Lord on the Woolsack, in which a judgment for thirty thousand pounds had been obtained against a party in Ireland; that party then came to this country, where the judgment was affirmed, but by that time the party was in France. A considerable expense was gone to in that country in order to enforce the judgment; but by the time that process had been gone through, the party had gone off to Italy; and so on the thing might go for an unlimited time. It was to put an end to such an abuse, that he introduced the Bill. It would also have the great object in view of putting an end to the great delay occasioned by the present system. He moved that it be read a first time.

The *Lord Chancellor* acknowledged that great delay and expense were caused by the law as it at present stood, and willingly admitted that some legislation was necessary upon the subject. He would take the earliest opportunity of looking into the details of the Bill, and would give it his most earnest attention.

The Bill was read a first time.

TITHES,—ST. BOTOLPH BISHOPSGATE.] The Earl of *Durham* presented a petition from the parish of St. Botolph, Bishopsgate, agreed to at a meeting of the vestry, and signed by three hundred and sixty inhabitants, all of whom inhabited houses above 20*l.* The petitioners stated, that they were zealously attached to the Church, yet they felt it a great grievance to be so severely taxed for the support of the hierarchy; that they were oppressed by the union of the Church and State, and the heavy burthen of tithes, especially by a local Act of 1823, which gave the rector the power of levying upon thirty of the parishioners for the full sum of 2,500*l.*, which had been fixed upon as his income from the parish. They prayed the House would grant them relief in all those matters, but more especially by the repeal of the local Act.

The Bishop of *London* observed, that he must call this petition a proceeding of an extraordinary nature. He should mention some circumstances which he thought would show something of the animus that actuated those who had promoted the getting up of this petition. The petitioners desired to be relieved from the burthens which they said were cast upon them for the support of the hierarchy. He hoped he should not offend his former parishioners of St. Botolph, Bishopsgate, if he said, that from the use of the word hierarchy, in this petition, they did not seem to understand the word, or its meaning. They did not pay one farthing in support of the hierarchy. In former times the citizens of London were liable to a payment of 3*s.* 6*d.* in the pound on the rack-rent of all houses for the support of their clergy. That payment was found to be very burthensome, and it became the subject of much discussion. The continuance of the burthen produced some tumults, and the King appointed a Commission, consisting of the great officers of State, to inquire into the matter, and to form some arrangement that should put an end to these disputes, and should be conclusive. After carefully examining into the subject, an arrangement was made by which the citizens were declared liable to pay 2*s.* 9*d.* in the pound. That arrangement was made the subject of an Act of Parliament, which Act was in force generally in the parishes of London at this day. Some question, however, had arisen as to the enrolment of the decree; and it had been three times decreed to be enrolled. In the year 1820, on the appointment of a new rector, he proposed to the inhabitants a commutation of the sum, to the payment of which they were liable; and his commutation did not exceed tenpence or one shilling in the pound, instead of being to the full amount of the two shillings and nine-pence in the pound. The inhabitants resisted his proposal, and presented a petition on the subject, in which they were indiscreet enough to say that they were liable by law to a payment amounting to 7,000*l.* a year. That was the fact; they were by law liable to a payment to that amount; but their then rector, who now filled the see of Down and Connor, never thought of taking more from them than a sum of about one shilling in the pound. He (the Bishop of London) had afterwards become the rector of this parish, and upon his obtaining the incumbency, the inhabitant parishioners of Bishopsgate proposed that the income of the living should be for ever settled by Act of Parliament. He was then in the receipt of a sum amounting to 2,300*l.* a year, calculated upon the arrangement made by his predecessor. He agreed to the proposition of the inhabitants, and the result was, that it was agreed that the rector should receive 2,500*l.* a-year, out of which a sum of 300*l.* a-year was to be paid to a curate. This arrangement he consented to, after receiving the full consent of his diocesan. The Act of Parliament to carry this arrangement into effect—that Act of which they now complained—was drawn up by themselves—it was prepared by their own solicitor, and even the remedy of distress secured by the Act was their own proposition, and yet now this Act of their own, by which they paid only 2,500*l.* a year, instead of 7,000*l.*, was the subject of their complaints, and they wished to get it repealed. This desire for the repeal of the Act came from the very persons who had had the benefit of the arrangement entered into by themselves, but who now, taking advantage of what they conceived to be the spirit of the times, wanted to cut down the rector's income, though they did not say to what sum. The petitioners complained, too, of the building of a second church, and they complained of the burthen of building this church. He congratulated himself on having been instrumental in procuring the building of a second church in a parish containing 9,000 inhabitants; the old parish church not being able to contain more than 1200 persons. But whatever was the expense of building this church, the inhabitants had suffered nothing from it—not one farthing had been contributed by the parish, not one farthing had been asked from them. The expense of the building of the church was defrayed out of the funds at the disposal of the commissioners for building new churches—the expense of fitting it up and rendering it fit for the performance of divine service, had been borne by himself. He mentioned this only to show, that so far from their having any ground of complaint, any right to impute to the hierarchy the exercise of a grinding rapacity, and a power of extorting from the people of London more than was due from them, they were, in fact, secured from a larger legal demand, and a concession of nearly *5,000l.* a-year was made to them. The arrangement he had entered into was made with the free consent of his diocesan, the present most rev. Prelate. This arrangement was made at their own desire; and to secure them from what might be considered an injustice, it was agreed, that, at the end of ten years, a re-valuation should take place, so as to keep the income the same in value, though not in amount. That re-valuation would take place in about two years from this time, and the rector's income would perhaps then be reduced *300l.* or *400l.* in amount. He was happy to be able to inform their lordships, that whatever might be the sentiments of the persons who had signed the present petition, there were many others in the parish who entirely differed from them, and that a petition would shortly be presented to their Lordships from 270 of the inhabitants of St. Botolph, who paid a much larger sum towards the rates than did these petitioners, expressing their attachment to the Church, and their determination to resist any attempts to injure its property.

The Earl of *Durham* observed, that it was quite impossible for him to be prepared to answer the statements made by the right rev. Prelate. He had felt himself bound to present the petition, and to lay the complaints of the petitioners before their Lordships; but, of course, he was not responsible for their statements. He was not inclined to dispute with the right rev. Prelate as to the use or the meaning of the word hierarchy, as employed by the petitioners, or of any other word, especially if derived from the Greek; but, on the other part of the right rev. Prelate's observations as to the arrangement entered into with the parish, the merit seemed to be, that the legal claim of *2s. 9d.* in the pound had not been strictly enforced. In truth, it never appeared to have been enforced by the right rev. Prelate's predecessors. He did not agree with the petitioners as to the desire they expressed for a separation between the Church and the State. In his opinion, the Church and the State, or rather religion and the State, ought to be united. He thought that the government of every state was bound to give to the inhabitants of that state instruction, moral and religious. He did not identify himself with the abuses of a Church Establishment, nor did he think that other men ought, because of the existence of such an Establishment, to suffer any diminution of their civil and religious rights; but he thought, that, in the first instance, the State was bound to tender religious instruction to its inhabitants.

Petition laid on the Table.

HOUSE OF COMMONS,

Thursday, March 6, 1834.

Minutes.] Bill. Read a first time:—House Duty Repeal. Petitions presented. By Messrs. Madox, Wilks, Briscoe, Mostyn, Dawson, Vivian, Denison, Methuen, and Watkins, Captain Ross, Sir J. Byng, Sir W. Folkes, and Sir J. Johnstone, from a Number of Places, for Relief to the Dissenters.—By Mr. Gillon, from Cupar, for severing the connexion between Church and State.—By Mr. Maxwell, from the Friendly Societies of Ayr and Renfrewshire, for Relief from Taxation.—By Mr. Denison, from Cranley; and by Sir Charles Grey, Mr. Baring, and Mr. Miles, from several Places,—against any Measures likely to weaken the Efficiency of the Established Church.—By Mr. Gillon, from Linlithgowshire, that the attendance of the Bishops in the House of Peers may be dispensed with.—By Mr. Denison, from three Places, in favour of a Labour Rate.—By Messrs. Denison, Tyrrell, Methuen, Baring, and Miles, and by Captain Yorke, from a Number of Places,—for Relief to the Agricultural Interest —By Mr. C. Berkeley, from Cheltenham, against the additional Charge of one Penny by the Post Office for the Conveyance of Newspapers and Letters.—By Messrs. Hume, Strutt, James Oswald, Abercrombie, and Sir Henry Parnell, from a Number of Places, for the Repeal of the Corn Laws.—By Mr. Sinclair, from several Places, against the present System of Church Patronage in Scotland.—By Mr. John O'Connell, from Youghall, for the Abolition of Tolls and Customs at Fairs and Markets in Ireland.—By Messrs. Blake and Abercromby, from several Places,—against Tithes in Ireland.—By Mr. Hall Dare, from several Places, against any Alteration in the Corn Laws.—By Sir Andrew Agnew, and Messrs. Atherly and Mostyn, from several Places,—for the Better Observance of the Sabbath.—By Mr. Fleetwood, from Broughton, for a Revision of the Penal Laws, and the Abolition of the Punishment of Death.—By Mr. Methuen, from the Woollen Manufacturers of Wilts, &c., against the Use of Machinery.

Separation of Church and State.] Mr. *Gillon* presented a Petition from certain members of the Town Council of Cupar (Fife) praying for the severance of the existing connection between Church and State. Such opinions as were professed by these petitioners, were every day gaining ground in Scotland. He presumed that his hon. friend, the member for St. Andrew's, would not deny their existence to a great extent in the county, of which this burgh was the principal town. It had been said, that he was the only Scotch Member who entertained these sentiments. To that statement he demurred; but admitting it to be true, he begged to doubt whether it was conclusive that he was wrong and they were right. All which the Dissenters demanded was fair and open discussion, because, being satisfied that their principles were founded on the broad basis of truth and justice, they courted investigation. They protested, however, against the attempt as unchristian as it would be ineffectual, to assail them with false aspersions of want of religion or infidelity. This showed the weakness of the cause of their opponents, who met fair argument by calumny and outrage. He took upon him to say, that there were not in the world men more eminent for piety and religious zeal, than among those who professed the principle that churches should be voluntarily supported. Their zeal did not evaporate in mere words, as they supported their own clergy and churches, besides being taxed for the support of the dominant sect. It had been said, first, that the Dissenters formed a very small proportion of the population of Scotland, not more than five hundred thousands out of two millions. There never was a greater error than this. In all the populous and best educated parts of Scotland, the Dissenters much outnumbered the Churchmen. In 1830, the sittings in the churches in Edinburgh and Leith were—39,000 Dissenters; 27,000 Churchmen. In the district of country with which he was more immediately connected, he could state the Dissenters were three or four to one as compared with the Churchmen. In Falkirk, containing a population of 12,000, there was only accommodation in the Established Church for 1,400. How, he would ask, would the people be stored with religious knowledge at all, were it not for the voluntary efforts of the Dissenters? Another statement was, that only a small portion of the Dissenters were opposed to the connexion between Church and State. He could only speak from experience and facts, and he could say, that he scarcely knew a Dissenter who was not opposed to the connexion. Besides a very great many other petitions on this subject, which he had last year presented, he had been intrusted with one from Glasgow, signed by 16,000 persons, and adorned by such names as those of Dr. Wardlaw and Dr. Waugh. Would any one venture to throw on those reverend gentlemen the aspersion of want of religious feeling? A third statement was, that it was necessary to keep up the Church establishment for the religious instruction of the poor. The very reverse of this was the fact. The poor principally derived their spiritual nourishment from the Dissenting congregations, and, without the unwearied zeal of the Dissenting ministers, Scotland would indeed have presented the aspect of a moral desert. It was found by late investigations, that in Edinburgh, where the sittings of the Established Churches were to a great degree untenanted, those seats which let the highest, were occupied of course by the aristocracy, while, as you descended in the scale of price, the proportion of occupied seats diminished. He held, then, that the Established Church existed more especially for the benefit of the rich, and not of the poor, and as opposed to the best interests of religion in general. He supported the prayer of the petition.

Mr. *Hughes Hughes* said, he had only one word to say upon one of the petitions presented by the hon. Gentleman. He thought the petitioners of Cupar might have waited till the reverend Prelates had expressed a wish to be relieved from their duties in the House of Lords, before they so kindly interfered in their behalf. He was very happy to see the petition was written on a very small piece of paper. Therefore he drew the inference, that the feeling against the Bishops had not grown to such an extent as stated by the hon. Member.

Mr. *Andrew Johnston* would not have troubled the House with a single observation, had he not been called upon by the hon. Member, who presented a petition from a portion of his (Mr. Johnston's) constituents. The history of that petition was this:—A meeting of the Town Council of Cupar was called, and a petition respecting Church patronage was proposed. An amendment, containing the spirit of the present petition, for the severance of Church and State, was moved as an amendment, without the slightest notice, and it was carried by a majority of only one, eight being one way, and nine the other. Afterwards another meeting was called, at which the whole of the council were present, and a petition of a different nature was adopted by a large majority; so that it was clear that the present petition was the petition of a very small minority. When the question came before the House upon a motion, he would state his views upon the subject. Till then a discussion would only be irregular.

The Petition to lie on the Table.

THE CORN LAWS.] Mr. *James Oswald* presented a Petition from Glasgow, signed by upwards of 59,000 persons, for the repeal of the Corn-laws. It was got up at a public meeting at which the Chief Magistrate of that city presided, and it was again submitted to another public meeting, at which the Chief Magistrate also presided. Amongst the signatures were those of all the Magistrates of the city of Glasgow, excepting one, and it had been signed by that large number of persons in the course of last week. The greatest enthusiasm was manifested in signing it—the shopkeepers opened their shops for that purpose, and it was carried without putting the public to any expense. Whatever difference of opinion respecting the Corn-laws there might be in other parts of the kingdom, there did not exist a more general and determined opposition to them anywhere than in the city of Glasgow—a city in which education was more generally diffused than in almost any other part. The petitioners stated, that they received with deep disappointment the resolution of Ministers to resist any measure that would tend to relieve the country, by repealing the laws which prevented the free importation of grain. In these sentiments he cordially concurred, and he regretted the declaration of the Government that these laws should not be taken into consideration. He was sorry that there appeared a feeling, if of not going back, at least of standing still in the matter of Reform. There appeared to be something as if they regretted the carrying through of the great measure of Reform, or otherwise they would have permitted these Corn-laws to come under consideration. He would not trouble the House with anything upon the Corn-laws, because it was clear to him that there were two qualities requisite in a Member wishing to address the House—that he should afford information or propose relief. He was not capable of one or the other, and he would not trouble the House with any argument; he would merely state one important fact relating to the Corn-laws. In 1815, when these Corn-laws commenced, this country had a very extensive trade with the United States of America. The government of those States proposed that corn should be introduced free from duty, at least upon the same footing as Colonial corn. The proposition was objected to, and the Corn-laws were enforced, in consequence of which the American tariff took place, and the Americans now manufactured annually from 240,000 to 250,000 bags of cotton, not one of which would have been manufactured there, but for the existence of those Corn-laws. If it were essential for the happiness of this country that encouragement should be given to manufacturers, it was clear that those Corn-laws lessened the value of manufactures by thus preventing a large exportation. It was said that this was not a proper time to discuss this question. It appeared to him to be the best of all times. The price of grain was at present low, and the question might therefore be discussed under more favourable circumstances than at any time when the price of corn should be raised.

Mr. *Ewing* bore testimony to the respectability of the petition, which, as his hon. colleague had stated, was signed by nearly 60,000 persons. He agreed too in a great measure with the prayer of the petition, but against that part of it which prayed for a total repeal of the Corn-laws he totally dissented, because he conceived that some tax proportionate to the burthens of the State, should be placed upon the importation of foreign corn, for the protection of the agriculturists of this country. He would agree to the admission of foreign grain upon payment of a fixed and moderate duty, but he did not think that the total repeal of the Corn-laws would be advantageous.

Mr. *Abercromby* bore testimony to the respectability of the petition. In his opinion a great national misfortune had resulted from what he thought a great legislative error, in departing from the principle of free trade in corn. The sooner the Legislature retraced their steps, the more advantageous it would be for the country, but how that was to be effected he would not presume to say; he thought no time should be lost in an attempt to bring about the alteration.

Sir *Edward Knatchbull* thought the petitioners, however respectable they might be, were not sensible to their own interest, or they would never have presented such a petition. It was evident that if a lower price was imposed upon agricultural produce than at present existed, not only would the farmer be involved in ruin, but every class in the community would be equally affected.

Mr. *Cayley* said the Corn-laws had existed for a period of 400 years, and it was necessary to go back to the year 1436, and trace their operation down to the present moment, distinctly to understand their nature and effect.

Mr. *Baines* thought the best argument in favour of a repeal of the Corn-laws, was the present state of the country. Agriculture was never in a more flourishing state than before their existence, and since they had been brought into operation, the country altogether had never been in a more depressed state.

Petition to lie on the Table.

Mr. *Hume*, having presented a petition from 31,000 inhabitants of the metropolis, for the repeal of the Corn-laws, (which, as to size, resembled one of the largest rollers used in husbandry,) and petitions to the same effect from other places, went on to say, that he had to crave the indulgence of the House, while he endeavoured to state his views on the important question of which he had given notice for that night. It was unnecessary for him to dwell upon the great importance of the question, and the necessity of setting it at rest, if possible, by taking from the landed interests the undue privileges at present conferred on them; and steps ought to be taken to relieve the public mind from agitation, by conceding to the people what they conceived to be their rights. He was anxious to have the subject discussed without intemperance or heat; and he said so the rather, because, on former occasions, much ill feeling had been excited, under the idea that one party had effected an usurpation, which it was prepared by every means in its power to maintain at the expense of the rest of the community. Parliament would best perform its duty by taking the prudent course he recommended. He felt anxious, as this was the first time the question had been brought fairly forward in a Reformed Parliament, that the people should see a disposition in their Representatives to listen to well-grounded complaints, and remedy acknowledged evils. He called to the recollection of the House, the parties in this case; they were those who sought, and those who opposed, an alteration in the existing system. The mass of the population sought to be relieved from a burthen under which they had long laboured; they desired to see an end to the law by which a few individuals obtained, and still retained, the possession of exclusive advantages. He was not surprised that this should be the case, for when he looked back to the constitution of the unreformed Parliament, he found that a great majority of its members was influenced or nominated by those whose interest it was to have high rents. Laws had been made to favour those parties, and a monopoly had been created for their advantage. While he complained of this, on the part of the people, he was anxious to redress it, without exciting the unpleasant feelings of those whose monopoly he desired gradually to destroy. Few subjects had occupied more of the time of the House than the present—there were few subjects which deserved it more—and on few subjects, since the reign of Henry 6th, had more laws been made. He did not complain, therefore, of the subject having been neglected, but he complained of the manner in which it had been treated; he complained, that from ignorance of the principles of political economy, much mischief had been done, and much injustice. Now that we had obtained a Reform of Parliament, and now that the people had a greater number of Representatives in the House, the class which had been long deprived of the advantages of a free trade in corn might fairly appeal to Parliament for relief. It was his wish not to infringe upon the privileges or rights of any class; but he wished to extend equal rights and protection to all, giving to the capital and industry of all equal protection. That had not been the case, and he would show the manner in which the agricultural interest had been peculiarly favoured, at the expense of the other parts of the community. It was the duty of the House and the Government, to deal out equal justice to all. But he would put it to any man who would allow himself candidly to consider the subject, whether, during the last thirty years, equal protection had been extended to the labouring man and to the landed proprietor? No man could be so blinded by self-interest as to assert that the protection had been equal. He would explain to the House what he considered to be the special claims of the landed proprietors to the peculiar privileges which they enjoyed by law. It would be necessary to state what were the systems that had hitherto existed with regard to the corn trade. But first, he must observe, in reference to what fell from the noble Lord (Lord Althorp) a few nights ago on the subject of the Corn-laws, that he fully concurred with the noble Lord, when he stated that the best mode of improving the condition of agriculture was, by promoting the welfare of the community at large, and not by maintaining individual interests. The object of the Corn-laws was opposed to this principle, because it gave special protection to one interest, at the expense of others. If gentlemen would turn their attention to the state of the Corn-laws at various times in this country, they would find, that the cause of complaint was of comparatively modern date. According to the short abstract, given in the Report of the Committee of 1821, it appeared that at an early period, the trade in corn was free, that, subsequently, a variety of laws had been passed, alternately imposing heavy duties, and relaxing them, and enacting bounties. Before 1660, the importation of wheat was free, and the average prices were high. In 1663 an *ad-valorem* duty was imposed, of nine per cent, or about 5*s*. 4*d*. per quarter, on imported wheat; and the object of all measures adopted since then was, to keep up the price of corn; but it had been found utterly impossible to effect that purpose steadily. Although certain objectionable limitations existed previously to 1815, yet we had a right to consider the present system as beginning then. When the price of corn was between 44*s*. and 46*s*., there was a duty of 2*s*. 6*d*. above that price; there was a sixpenny duty. That system continued till 1791: 50*s*. was then substituted for 44*s*., and the scale continued unaltered, he believed, till about the commencement of the peace. From the commencement to the termination of the French war, the Corn-laws were inoperative, as the prices were above the sum at which the duty came into operation. In consequence of this, we had the full advantage of all the markets of the world; and, if gentlemen looked at the effect of that state of things, they would find reason to be satisfied, but we should never have more than was necessary to feed our population as they ought to be fed, and to give them an opportunity of paying for their support by their labours in manufactures. The House would bear in mind, that, up to the period between 1764 and 1774, this country regularly exported grain; and the price of corn in England was above the price on the Continent of Europe, otherwise we could not have sent corn out of the country. Up to that period we were an agricultural country, but from 1770, a rapid increase took place in our manufactures, and our population was augmented in consequence. Such being the case, if we would maintain our increased population, we must facilitate their means of obtaining food, without throwing them as a burthen upon the land. There not being sufficient food in the country for the population, it became necessary to seek for food from without. The real cause of the existing distress, then, was the want of food, and the want of employment; which was always found where food could be obtained: and there existed no other mode of relieving that distress, but by increasing the means of employment, or removing the surplus population. The latter measure, however, would afford only partial relief; and, as the land could not be expected to supply the population of this country with employment, there remained no other way of giving permanent and substantial relief, than by encouraging importation of food, by sending abroad the manufactures of the country. This object, he contended, would be attained only by granting permission to the British manufacturer to exchange his goods for foreign corn. The right hon. Baronet, the First Lord of the Admiralty, had, in a work on currency, published some years ago, introduced a table which might be advantageously quoted on the present occasion. It appeared from that document, that from the year 1700 to 1800, the price of corn on the Continent increased, taking 100 as the starting point, in the same proportion as the price of corn in England; but that from the moment our laws prohibited the free trade in corn, the price immediately increased in England, while it remained stationary abroad. Since this country had ceased to be an exporting country, with reference to corn, the population had nearly doubled, and it would be found that the increase had taken place principally in manufacturing towns. The population of Glasgow, which in the year 1801, amounted to 76,000, had in 1811, increased to 140,000, and in 1821, to 202,000. The population of Manchester had, during the same period, increased from 90,000 to 221,000; of Birmingham, from 73,000 to 142,000; and of Leeds, from 53,000 to 123,000. A similar augmentation of population had taken place in Paisley, Aberdeen, and other manufacturing towns, and had undoubtedly arisen from the increased manufactures of the country. This increase of population showed that there was no means of employing it, but by giving an increased stimulus to our manufactures, and that could not be accomplished without giving the people cheap food. It was true, that a system of emigration might be brought in aid of increased manufacturers; but he was of opinion, that, without taking the produce of other nations in the shape of food, we could not materially increase the amount of our manufactures. The only return that many other nations could give us for our manufactures, would be their corn; and yet we had hitherto resisted its importation, unless at an extraordinary fluctuating scale of duty. All the changes which we had made in the scale of duty on the importation of foreign corn, convinced him of the necessity for an increased employment of our manufacturers, as the only means of relieving our market from the amount of surplus labour with which it was overstocked. Let the House only look for a moment at the vast amount of cotton which was imported into this country in the year 1814, as compared with the last year. Some idea of the great increase which had taken place in the manufactures of the country, might be formed from the extent to which the trade in cotton had been carried. In the year 1814, the quantity of cotton wool imported was 80,000,000lbs.; in 1832, it amounted to 249,000,000lbs.; and in the last year, it had still further increased to 296,000,000lbs. A similar increase had taken place in the importation of other raw articles for manufacture in this country; and it was the increase of our manufactures which had created the surplus population, for whose relief nothing would be effectual but a free trade in corn. In the various other branches of our trade, the same principle would apply; and he besought the House now, while there was time, dispassionately to consider the subject. The principal obstacle to a more extended sale of our manufactures was, the high price of corn for the food of the people. There had been a great deal of discussion both within and without this House, as to the difference between the manufacturing and the agricultural interests; but, looking fairly at the question, he could not see that there was any such distinction. As manufactures increased, a portion of the agricultural population would be drawn into, and as if merged with them—and, in fact, so closely was their interest allied with each other, that it would be extremely difficult to draw any line of distinction between them. He thought it, however, right to state, that a calculation on this subject had been made by one of the Gentlemen who sat at the Table of that House (Mr. Rickman), and it appeared from his statement, that the owners, occupiers of land, labourers, and other persons dependent on its cultivation, might be taken at fifty-eight per cent on the whole population of the country. The calculation applied to the year 1831, and the number of families in Great Britain employed in agriculture, was stated to be 961,000; the number of families employed in manufactures, 1,434,000; while the number of those not comprised in either of the two first classes, was reckoned to be 1,018,000. In Ireland the number of families engaged in agricultural pursuits was calculated at 884,000; the number of those employed in manufacturing, 249,000; and the number of families, not belonging to either of the first-named classes, 251,000. He believed, that this account was somewhat exaggerated; but supposing it to be perfectly correct, was not that House bound to ask itself how such a large and continually increasing population (a population, which in the space of the last ten years, had increased seventeen per cent,—three-fourths of that augmentation being attributable to the increased extent of our manufactures) could be maintained otherwise than by allowing them to export the work of their hands, and obtain foreign wheat in exchange for it? It was idle to say, that the land of England was capable of supplying the population of the country with food, for at the time when wheat was as high as 100*s*. per quarter, and soils of every description were forced from the high price into cultivation, it was found even then to be inadequate for that purpose. The price of foreign wheat had been stated by some persons to be from fifty to eighty per cent lower than the price of wheat in this country, and, at some places, that might be the case; but he was not disposed to believe, that so great a difference of price existed, and he thought, that on an average, foreign wheat would be found to be from thirty to forty per cent cheaper than wheat in this country. It followed, then, as a matter of course, that the price of labour abroad was thirty or forty per cent lower than it was in England, and, consequently, the foreign manufacturer was enabled to send his goods to market at less cost than the British manufacturer. The raw materials were as cheap in England as in any part of the world; but the manufacturer in this country laboured under the disadvantage of being obliged to pay higher wages to his workmen than were paid to labourers on the continent. The consequence was, that he could not compete with foreign manufacturers in the markets abroad, and, as he was not able to sell his goods, he, of course, ceased to manufacture. His workmen were dismissed; and being deprived of employment, they looked to the poor-rates as the only means of obtaining subsistence. But though he was of opinion, that the repeal of the Corn-laws would benefit the general body of the labourers in this country, he could not coincide in the opinion expressed by an hon. Member in that House, that it would have the effect of raising the wages of the hand-loom weavers. It no doubt would improve their condition, in common with the rest of the community; but it was absurd to suppose, that hand-labourers would, by any measure, be placed in as good a situation as that in which they stood previous to the introduction of machinery. The object of the Act of 1815, which the Legislature passed under the protection of fixed bayonets, was to keep wheat at a fixed remunerating price of 80*s*., but experience had shown it to be totally ineffectual for that purpose; and, in the year 1828, the Act was altered, and the remunerating price reduced to 60*s*. Still, under the new law, fluctuations in price to a very considerable extent were continually occurring, by which both landlords and farmers suffered great losses. Many of the latter had either become bankrupts, or were paying their rents, not out of their profits, but out of their capital. The law which had been passed in favour of the landed interest, had not guarded that interest against the evils he had mentioned, and, at the same time, the rest of the population of the country had been starved by it. By creating an artificial scarcity, it had made food dear. The object of the law was to keep up the price of bread, and it had that effect, though not to the extent which had been expected. If it had not had that effect, why not at once consent to repeal it? It was well known by every Member present, that the effect of the Act had been to starve a large part of the population, to deprive them of employment, and drive them to the poor-rates. Nothing could be more easy of proof than what he was now stating. He was confident, that the manufactures of this country might be doubled or trebled, if the cost of production were reduced, so as to enable the British manufacturer to compete with the foreign manufacturer; but how could the cost of production be reduced, unless the wages of labour were lowered? He understood the meaning of that cheer; but he was prepared to contend, that, notwithstanding the wages of labour might be lowered, the workmen would still be benefited, if, by a free trade in corn, they obtained their food cheaper, and secured a constant demand for their manufactures. He was not disposed to think, that, under a system of free importation, the price of corn would fall permanently below 48*s*. or 50*s*. per quarter; and he might, therefore, be asked, what advantage did he expect from the establishing a free trade in corn. One great advantage sure to result from keeping the ports permanently open was, that an end would at once be put to the fluctuations at present occurring in the price of corn, and to the uncertainty which existed as to the amount of importation which would take place in any unexpected emergency. During a period of eighteen years, ending at the year 1831, the quantity of corn imported equalled 24,000,000*l*. in value; in some years amounting to 6,000,000*l*., while, in others, it fell short of 600,000*l*. These fluctuations, injurious to all classes of the community, would cease to occur if the ports were thrown open for the admission of foreign wheat, commencing at first with a moderate duty, and lowering it gradually until the trade in corn became perfectly free. He would not wish the change to be made otherwise than gradually, because he was not ignorant of the injury that might be inflicted by any sudden alteration in an existing system. The mischief of the present Corn-laws was the uncertainty to which they gave rise; and their injurious effects had been so frequently felt, that the law of 1815 had been violated by no less than eleven or twelve Acts passed, and Orders in Council issued, on different emergencies. Was not this a matter of great evil? If the ports were regularly open, the trade would become more regular—regular habits of interchange would be induced; and in lieu of the corn imported, articles of British manufacture would be taken in return. In illustration of this, he would instance South America, where British articles had been introduced, notwithstanding it had at first been deemed impossible. Another advantage which would follow, was, that the carrying trade would become more particularly our own; and, instead of employing foreign vessels, those ships which were now rotting in our docks would be called into profitable employment, because the ship-owners, many of whom were also merchants, could calculate upon a fixed, and not a varying and uncertain trade. It had been objected, that the repeal of those laws would be the ruin of the agriculturists. By looking at the prices of corn in various parts of Europe in 1825, it would be found in England 67*s.* 8*d.*; in Cadiz, 75*s.*; in Lisbon, 73*s.*; at Marseilles, 52*s.*; in other years, 33*s.* in Bordeaux; 39*s.* in Antwerp; 66*s.* in Lisbon; and again, in other years, in Amsterdam, 29*s.* 9*d.*; Bordeaux, 47*s.* 9*d.*; Marseilles, 60*s.*; and Lisbon, 47*s.* If England became a regular importing country, these variations would diminish; the consumption of England would increase; and that increase would regulate the price, which, as he said before, would be repaid in articles of English manufacture, and ensure to this country a fixed carrying trade. The effect, too, of opening the trade in corn, would be, that England, to a much greater extent than at present, would become the manufacturer to the whole world; while an adequate supply would be received in return for the produce of our industry, of those blessings which the growing necessities of a rapidly-increasing population demanded. He had prepared a statement, which the House, he hoped, would allow him to read, by which it would be seen how little real protection had been afforded to the agricultural interests, while all the other branches of the community had grievously suffered under the operation of the present ruinously restrictive system. The statement to which he alluded, embraced a return of the quantity of corn imported since July 15, 1828, when the Act of 1827 came into operation, to the 7th of January, 1834, including a period of five years and nearly six months. During that interval, there had been imported 4,832,000 quarters of wheat, 975,000 quarters of barley, and 1,458,564 quarters of oats; making, in all, 7,265,564 quarters of the three different sorts. The amount of duty raised, was, in the aggregate, 2,380,005*l.*; the wheat paying at the rate of 6*s.* 8¾*d.*, barley 5*s.* 0¾*d.*, and oats 5*s.* 11½*d.* per quarter. But still the duty not being fixed,—as variations, in fact, were continually occurring every week and every day—almost the whole trade was left in a state of extreme uncertainty, which had in many instances produced the most ruinous consequences to the agriculturists themselves; who, to counterbalance this, had, no doubt, the pitiful satisfaction of excluding from the ports of England, millions of quarters which might have fed millions of people now half-starved, or existing only as a burthen on their parishes; whereas, if they had adopted the proposition which he humbly submitted to the House in 1827, the condition of the agriculturists would not have been one farthing worse, but, on the contrary, a great advantage would have been gained by them, in being relieved from the pressure of poor-rates, which now fell on them so heavily, in consequence of the high rate of corn, to compensate for any small reduction that might have taken place in its price by an increased importation. If such had been the case, why should the present system any longer be continued? But he was told the agriculturist was to be protected, and the proposed change could not be introduced because the land had peculiar burthens. Now, he was quite ready to give to the farmers every possible protection, if they should, upon due examination, appear entitled to it. But he thought he could show, that the agriculturist had no claim whatever,—he meant, no claim to protection but what arose under the Act of 1815. He was prepared to make this out to the satisfaction of the House. In the first place, he should like to know, what were the claims which the land had to the species of protection which was so much insisted on—meaning, of course, by the term "protection," the power of raising the price of corn? If they claimed the right of raising the price of corn in England above that on the Continent, it was incumbent on them to show how it originated, and why it should be vested in them, to the prejudice of the rest of the community. From the year 1791, till 1815, they had no such claim, and received no such protection, because corn was then imported without any duty; its price in England being pretty nearly the same as the price over Europe generally. If they had no such claim at that time, in what had their demand originated? Corn was then at a very high price; but, since it had been lowered on the continent, they had claimed protection, and, to a certain extent, they had enjoyed it, although, he verily believed, its only effect had been to ruin them. It held back many of the farmers from giving up their farms, in the hope that prices would continue to rise; and, trusting to a return of better times, their expenses and farms were kept up, till distress, he was sorry to say, had at length overtaken them. They had heavy claims on their property, they said, in 1815, and it was their intention then to pay them off by the high price of corn; in that, however, they had been disappointed. What, he begged to ask, were the burthens under which the land peculiarly laboured? There were tithes, poor-rates, county, road, and church rates, besides parochial and militia assessments. He was not aware of any other. As to tithes, he should be glad to know what title any one of them had to be free from tithe; his property having been purchased from time immemorial subject to that charge? There could be no claim to protection on that ground, although he must say, there had been a most inordinate increase of tithe; in some places, it had actually been doubled, and even quadrupled; but how that addition had been made to their difficulties he did not know; at all events, whether great or small, that burthen did appear to him to form no ground of protection whatever. From 1700, up to 1815, they had never claimed protection on that ground, and, therefore, no allowance could legitimately be made for it. The next burthen was that of poor-rates. Now, conceding their right to a claim on this score, it must be limited to England, because no poor-rates existed in Ireland or Scotland. That tax had been in existence for the last 230 years, and it could not fairly be considered now as a ground of exclusive protection. Besides, the towns paid as much, if not more, poor-rates than the land. Then as to parochial assessments, the towns also paid their share as well as the rural districts, in the proportion out of 6,966,157*l.*, of 2,170,675*l.* to 4,795,482*l.*; besides, the landed interests were almost entirely exempted from Church-rates, which in towns were felt to be very oppressive. The landed proprietors too were generally members of the Church of England, and had seats in the Churches, they paid to keep up, while the towns people being in a great measure Dissenters, had to pay for Churches which they did not use. As to the militia, it had, during the war, certainly been a heavy burthen, but its pressure was now very much diminished, if in fact it existed at all. It would be seen, by a reference to the Parliamentary returns, that in regard to county assessments, many of the agricultural districts paid much less than the manufacturing portion of the community. These various burthens, in fact, pressed so unequally on different counties that it would be impossible to say exactly what the amount of protection ought to be in consideration of them. Some counties too were more agricultural than others; and in some that were most agricultural the burthen on account of the poor-rates was higher than in others. In Sussex, for instance, the Poor-rate was 6*s.* 9½*d.* in the acre. This, however, might be accounted for from the custom of paying the wages of labour partly from the rates. It would not be said that a burthen imposed in this way afforded any good reason for a prohibitory duty on corn. In Berkshire, the rate was 1*s.* 1*d.* the acre; in Kent, 5*s.* 8*d*; in Hereford, 3*s.* 11*d.*; in Yorkshire, 2*s.* 6*d.*; in Cumberland, 2*s.* 1*d.* Upon any of the grounds alluded to he could see no reason why protection should be given. It was worthy of remark that population did not increase in this country in the same proportion as capital did. Between the year 1776 and 1815 money increased in this country five-fold, while the population increased only threefold. This must have arisen from mismanagement. He was not aware of any other charges which could be said to press exclusively upon the land. An hon. Member said the Malt-duty, but the Malt-duty could not be said to fall upon the land, because, in point of fact, it was paid by the consumer. Taking all these circumstances into consideration, what right, it might be asked, had the agriculturists to this protecting duty? So far from being a benefit to the country, even to the farmers themselves it was productive of most serious evil. The immediate consequence of it was to prevent the export of manufactures; thereby to lessen the employment of manufacturers, to throw them on the Poor-rates, and to add greatly to that very heavy burthen. It had been clearly proved, that the expulsion of their manufactures from the ports of the United States of America was occasioned by their own Corn-laws. When this country imposed a tax on corn the produce of America they very naturally, in retaliation, imposed taxes on the importation of British manufactures. One powerful source of their manufacturing prosperity was the great demand from the United States. He saw no limits to the demands of a country like America, daily increasing in population, if this country would only admit their corn upon fair terms. How did the matter stand as regarded Prussia? The principle of reciprocity, if fairly and fully acted upon was a good one. He approved of the principle, but in point of fact it was never carried into effect in such a way as to give it a fair trial. Indeed it was impossible it could be, while the great article of corn continued subject to a duty. This country, from the narrow-minded policy of protection to her colonies and to her landed interest, refused to admit the two great articles of Prussian export, her timber and her corn. It was very natural that Prussia, one of their best customers, should retaliate, and accordingly she made efforts to shut out British manufactures from the markets of Europe as well as from her own; and she had already prevailed upon most of the German governments to adopt her plan of exclusion. This was the natural result of the paltry, narrow-minded, commercial policy of England. This was essentially a manufacturing country. Her greatness, her wealth, and power arose from, and must always depend upon, her manufactures. There was no instance in ancient or modern times of a country, exclusively agricultural that was not a poor country. Their greatness commenced with their manufactures, and these once overthrown, there must be an end to their prosperity as a trading and commercial nation. Seeing then, that their manufacturing industry could not prosper without foreign markets, in which it might be employed—seeing that they must be in a great measure excluded from these markets if they did not give free admission to foreign corn—was it not better to extend their manufactures, than to sacrifice them to a protecting duty for the benefit of the agricultural interests, which, after all, were not benefited, but in reality injured by it? The agriculturists would benefit more by the increase of home consumption, arising from the increase of manufacturing employment and manufacturing population, than they could by any duty of this kind. It was a great mistake to suppose that farmers depended entirely on the sale of corn for payment of their rent. In the neighbourhood of great commercial and manufacturing places they paid their rent by the sale of butter, cheese, milk, pork, poultry, and other articles, as well as corn. It was as much the interest of the landlords as of the farmers to have manufactures enlarged and increased as much as possible. It could be very easily shown that their rents increased in proportion to the increase of manufactures. Let manufactures go to decay, and the consequence must be that the manufacturers would be thrown upon the land for support, and the income of the landowners be eaten up by the Poor-rates. No class, therefore, of the community was more interested than the agriculturists themselves in supporting and advancing the manufacturing prosperity of the country. They should come forward without further delay, without regard to petty commercial jealousy, and set the example of a large and liberal commercial policy. If they did not do so, the other nations of Europe would ere long take the start of them in this matter. A petition not long back presented to the French Chamber of Deputies afforded ample proof of the growing intelligence of that country on matters of commercial policy. It was only recently that the most numerous public meeting that perhaps ever took place in France was held in Bordeaux. In the Resolutions come to upon this occasion they said to the French Government, "If you do not open our ports to allow the free exportation of our wines into the ports of England, and to receive in exchange their manufactures, we must cease to become a wine-producing country. The monopolies which it is the object of your commercial policy to support, do not benefit us. Confine these monopolies to the north of France; and let not their effects extend to us when they contribute to ruin in place of serving." Had this country long before now acted upon the principles of a wise and liberal policy, it would have been productive of the greatest good; they would see their manufactures flourishing, and be now receiving in return for them the produce of other nations. The nations of the Continent, and of the rest of the world, giving this country credit for great commercial experience and great commercial knowledge, were naturally disposed to look up to them for instruction, and to follow their example. This opinion led them to follow their bad examples, and to act upon narrow selfish views. If a sacrifice was to be made at all—if there was a necessity for it—why should it be made in favour of the wealthy landowners? Let fair play be given as to the food of the people, and he cared not for the amount of taxes to be raised for payment of the interest of the national debt, or for maintaining the necessary establishments of the country. This restriction upon the importation of corn, so far from enabling them better to meet these burthens, only crippled their exertions, and rendered them less capable of bearing up against new difficulties. Let them set a good example, and they might be assured that other states would very soon follow it. It was not on the article of corn alone that these mischievous and most impolitic restrictions were imposed. He held now in his hand a long list of articles, and of the duties imposed on the importation of each. It showed within what narrow limits they had confined what was called a principle of commercial liberality. There were several articles which were merely nominally taxed from twenty-five to twenty and ten per cent, and which might be done away to-morrow without the slightest injury to manufactures, as in the case of silk, flax, &c. No manufacture was protected above thirty per cent, with one exception, whilst there was a long list of articles of agricultural produce which the people of this country were absolutely prohibited from importing. The people of England were not allowed to exchange their labour for imported beef, pork, black cattle of any kind, fish, with one exception,—a foreign salt fish. He admitted, that salt fish was not an agricultural production, but it was an article of food; and he, therefore, classed it among the absurd restrictions we had of that kind. What right had the agriculturist to all these advantages? What right had he to say, that his timber, his hay, cider, cheese, straw, and tallow, should be protected? They were protected, however; and so jealous was he of anything entering into competition with him, that even the importation of asses was prohibited. Everything that tended to raise the price of food acted as a blight upon the industry of the country, and our Corn-law was a gratuitous blasting of the blessings which nature had put within our reach. He could easily conceive how it came to pass when the landed proprietors were the only lawmakers, when an Unreformed Parliament did not think itself bound to attend to the welfare of the whole community; but now that Parliament was reformed—now that they were compelled to attend to the interests of weavers, of shoemakers, of cotton-spinners, of seamen; in short, of every class as well as to that of the owners of land; he could not conceive that these injurious restrictions upon the supply of food to the community, could be long kept up. It was the duty of a Reformed Parliament to do justice to all classes of its constituents, whatever their calling might be. The policy of our law, however, did not confine protection to British agriculture; it gave it also to various articles of British manufacture, upon which, in his opinion, it ought not to be continued. There were protecting duties imposed on brass, on buttons, on cables, on carriages, on clocks—no, clocks had recently been taken out of the lists,—on copper manufactures, on cotton manufactures, on earthenware, on glass, on iron in bars, and on various other articles imported from foreign countries. The list, in which these articles were enumerated, brought to his recollection the fact, that there were only two cases in which a protecting duty ought to be imposed; one of them was where the amount of duty was just equivalent to the amount of excise paid in this country; and the other, where it was imposed as a matter of revenue. Now, if a Government thought fit to raise a revenue of customs in that manner, the duty ought to be imposed upon articles for which all classes of the community were obliged to pay, and on which no one class could obtain an advantage over another. To him it appeared that, as the thing itself was mischievous, the very name of a protecting duty ought not to exist. With the advantages which the agricultural interest possessed as to cattle, wood, cheese, and various other commodities, it had no right to demand the continuance of a monopoly which had so long oppressed and afflicted the country. He considered the present as the most suitable time for attempting to get rid of that monopoly. There was at present no reason for any hurry. There was time for deliberation--they could consider the propriety of the change to be made without having anything to apprehend from excitement among the manufacturing classes. But could they hope to go on as they were going on at present—keeping up the price of food artificially, and shutting every foreign market against our manufactured goods, without creating great and permanent excitement among our manufacturing population? At present, there was only a question of time as to the abolition of the Corn-laws, except amongst a few ultra-landed gentlemen. Every person with whom he talked upon the subject, told him, "Things cannot go on much longer in this way; let us alone now, and consider how you can amend the Corn-laws at a future period, when we may be better off." To such arguments he had invariably answered, "No: this is the time for improving your Corn-laws, and unless you now consent to create a free trade in corn, and to keep your ports open at all times to the importation of it from foreign countries, you will not long enjoy the advantages which are now in your possession; you will cease to have the means of keeping in employment the millions of manufacturers whom you now employ, and you will increase the poor-rates, of which you already have such a just horror, to an amount to which no man can affix a boundary." There was a limit to the numbers engaged in agriculture; but there was no limit to the numbers who might be employed in manufactures.—That being the case, the next point which came under his consideration was this—what is the best mode of making a change in the Corn-laws? That question he solved by saying—"Let us have a system of steady prices—let us have corn admitted at all times into our ports at such a price as will enable us to have plenty of it always to feed our population." He had never met any country gentleman who said, that he thought the present Corn-laws necessary for his own protection—no, the country gentleman only wanted them for the protection of the population at large. Now, when he looked back upon what had occurred since the Corn-laws were originally passed in 1815, he observed, that in spite of them, or perhaps, he should rather say, in consequence of them—the agriculturist had been regularly getting worse off. He would only refer to the table published by Lord Milton—a table which, he believed, to be perfectly correct—from which, it appeared that, for a long series of years, the higher the price of bread was, the worse off was the labouring population—ay, even that part of it which then obtained the highest wages,—he meant the agricultural population. He appealed to such hon. Members as had heard the arguments advanced in 1815, and again in 1828, in defence and support of the Corn-laws, and asked them, whether those arguments did not resolve themselves into this simple proposition,—"We must have these laws as a means of keeping the agricultural population comfortable?" Now, he would ask those hon. Members, "Were the agricultural population comfortable at present?" Nay, he would go further, and ask, "Could any set of men be in a worse situation than that in which they unfortunately now were?" It appeared then, that, under the protection of this monopolizing system of protection, the state of the agricultural labourers had been regularly deteriorating. Any change, therefore, in the Corn-laws must be better for them; and if the farmers would only judge for themselves, and apply their common sense to the investigation of the interested prejudices suggested by their landlords, they, too, would see that any change would be better for them also, save where they were the holders of long leases. There were not many farmers leaseholders now; but, where leaseholders were found, there means should be taken to afford them the necessary relief. If he should succeed in creating a trade in corn with foreign countries, he believed that the average price of corn here would be nearly the same as it was now; if so, the landed proprietors would be benefited by the steadiness of prices which his proposition would produce, whilst the country would be less subject to the fear of famine, from having the whole world, and not one or two countries at most, enabled to supply us with the first necessary of life. What with deteriorated soils, suspended cultivation, diminished, and too often exhausted resources among the farmers, and want of employment among the labouring peasantry, nothing could be worse than the results of the existing Corn-laws. He saw a volume at that moment on the table containing details respecting the state of the Corn-laws in France. He would not make any remark upon it, but would merely mention that, in the latter part of it, there were several questions which had been put to a person of the name of Johnson, and several of his answers. Mr. Johnson stated, that wages were now one-sixth less in France than they were here. If that were the case, it was an additional reason for our endeavouring to render the food of our population as cheap as possible. It appeared to him, that nothing would be so beneficial as to establish a trade in corn with foreign nations, and to admit their corn into our ports at a fixed duty. What, then, ought to be the amount of that duty? On a former occasion, when he had brought this subject under the notice of Parliament, he had proposed to commence with a duty of 15*s.* a quarter, to go down 1*s.* every year until it came at last to a point at which, if the agriculturists claimed it, the country must be prepared to do one of two things—either to relieve the agricultural interest from the taxes which pressed exclusively upon it, or to place a protecting duty to that amount upon the importation of foreign corn. The first course was that which he should prefer to follow. He had heard several gentlemen, who had opposed his former Motion on this subject, say, "that a fixed duty was that to which they must come," and express their sorrow that it had not been already adopted. He had the honour of reckoning the noble Lord, now the Under-Secretary for the Home Department as one of his supporters on this subject in the year 1826; he trusted that he should also reckon him as one of his supporters now. He was now of opinion, that the duty should commence at 10*s.*, and that it should be decreased 1*s.* every year. He admitted, that that was but slow progress; but he would rather establish a right principle, and go on decreasing the duty slowly but gradually every year, than repeal the duty at once, and throw all classes into confusion and disturbance. If the duty were to be repealed at once, such a repeal would, in all probability, be attended with disastrous consequences. He said, that if the landlords could show no right to a protecting duty, the people of England had a right to demand that the importation of foreign corn should be duty free. He also said, that the duties placed on other articles of foreign growth and manufacture for the protection of British articles of the same kind should be removed, and, in such a manner, as would cause the protecting duties on manufactured goods, &c., to expire on the same day with the protecting duties on foreign corn. From that day the prosperity of the country would take a start; and, instead of the gloomy anticipations in which some men were now indulging respecting the prospects of the country, all would be mirth and joy and cordial satisfaction. He had only one word more to add before he sat down. An hon. Gentleman in the morning sitting had insinuated that his interest lay in the funds. Now, if there was any one interest more than another from the prosperity of which he was likely to derive benefit, that interest was land. If he were mistaken in the sentiments which he had that evening explained to the House, it was, at any rate, an honest and disinterested mistake of which he had been guilty. He advocated a change in the Corn-laws, because he was convinced that, unless it were made landed property in England, would, in many cases, soon cease to be of any value whatever. On that ground, he should conclude, by moving the following resolution:—"That this House do resolve itself into a Committee of the whole House, to consider of the Corn-laws (9th George 4th, c. 60), and of substituting, instead of the present graduated scale of duties, a fixed and moderate duty on the import at all times of foreign corn into the United Kingdom; and for granting a fixed equivalent bounty on the export of corn from the United Kingdom.

Colonel *Torrens* said, that, in rising to second the Motion of the hon. member for Middlesex, he should venture to express to the House the reasons which induced him to believe, that it was necessary for the prosperity and peace of the country gradually to abolish any restrictions upon the importation of human food. Upon a question so vitally and extensively important as the present, it was necessary to argue with the utmost caution, and to state the truth plainly and broadly, and distinctly, on both sides. The advocates of the agricultural interest had one argument—and he thought only one sound argument—to support their view of the question, and that argument amounted to this: that in a country like England, densely peopled with a manufacturing population, it was dangerous to trust the food and subsistence of that immense mass of people to a foreign supply of corn. That was the only argument the agriculturists had to use in support of their system He did not consider that argument a valid one. He did not believe the advocates of the agricultural interests themselves thought it a valid one, because they did not argue consistently with their own principle. If they wished the manufacturing population to be independent of foreign supplies of food, why did they resist the importation of foreign barley, and prevent the cultivation of what was essential for the food of man? If they wished to rely upon a supply of domestic food, why did they object to the introduction of sugar and molasses instead of malt, so that the ground now employed for the production of malt might be cultivated for the food of man? Thus they were not consistent in their arguments. They said they wished the country to be independent of a foreign supply of food; and yet they insisted upon the continuance of restrictions which were to cease if the land, being occupied in producing superfluities, prevented an independent supply of human food. The advocates of the agricultural interests said that the home market was the best for the manufacturer. This argument they urged strongly; but he would turn it against themselves, and would say, that if the home market was the best for the manufacturer, it was certainly the best for the agriculturist. The manufacturer of muslin, for instance, having great value in small bulk, could carry his commodity conveniently to a foreign market, and realise a large profit; but the manufacturer of corn and grass, having but little value in great bulk, could gain no profit by transporting his commodity to a foreign market; and therefore the home market was more advantageous to the agriculturist. Indeed it was the only one he could be sure to find. He should be borne out by history in the remark, that there never was a rich agricultural country which did not derive the source of its wealth from the manufacturing towns giving value to its produce. If the abolition of all restrictions upon the importation of human food and raw materials for manufacture should have the effect of greatly increasing the domestic market, and adding to the numbers of the manufacturing population, there would arise for agricultural produce a more extensive market; and, on the other hand, if restrictions upon the importation of human food and raw materials had the effect, as it must have the effect, of diminishing profits, lowering wages, and driving our manufacturing and commercial capital to countries more wisely governed than our own, the agriculturists would lose the domestic market, the only one which they now enjoyed, and were seeking by most unjust and impolitic means to monopolise. What, let him ask, would be the effect upon the rents of land if the manufacturing population of the country were doubled? What would be the effect of such a state of things upon the value and the rents of land? What would be the increased rent of houses? What would be the increased rent of ground for building, and of garden and pleasure grounds? What again would be the increased rent for ground for all productions of grass? He believed, that if the manufacturing population were thus increased, the rental of the kingdom would be thereby doubled. This would be the means of giving to the agriculturists a vastly increased value for their property, which they now sought to obtain by restriction and monopoly. Again he entreated the House to consider what would be the effect upon the value and the rent of land if any disastrous cause were greatly to diminish the manufacturing population of the country? It was now supposed that the country required one-tenth of its consumption to be imported. Now supposing that one fifth of the manufacturing population were taken away, the agricultural community would be supplying a greater quantity than could be consumed, and then England, instead of being an importing country, would become what it had been before—a country exporting corn. In that case, he asked, where would be the rents of the landed proprietors, and their mortgages, and the value of their estates? England would become what Poland now was; the price here would fall to the level of that of Poland; and, instead of the price being higher here by the amount of carriage, it would be lower by the cost of carriage here than on the continent. England, he repeated, would become what Poland was now; the agriculturists would lose the value of their property; and commercial capital would fly to better regulated countries than our own, but the landlord would remain like giant Despair to survey the desolation he had wrought. He had hitherto argued the case on behalf of the agriculturists themselves. He had endeavoured to show that it was the interest of the landed proprietors to abandon the system which they endeavoured to maintain. The interest of the agricultural community was based upon the prosperity of the manufacturing and commercial classes; and if the agriculturists attempted to push monopoly too far, they would destroy their own prospects. But he would now ask the landed proprietors if they conceived that the immense masses of our manufacturing population would tolerate the system which they were desirous to perpetuate? It had been demonstrated, over and over again, that, in proportion as you increased the value of the produce of the soil in relation to the productions of the manufacturing classes, in the same proportion did you diminish the profits of manufacturers and lower wages. Would the great towns allow the landed proprietors greatly to depress wages and profits, in order that they might increase their own rents? He told them, that the great towns would not let them act so, and it would be better for hem to be wise in their generation, and, while there was yet time, come to a settlement of the question. How could the landed proprietors attempt to stand upon the ground they had taken? Was any individual land-owner able to meet the argument which had been so often and so successfully laid down, that in a great manufacturing country there ought to be no restriction upon human food and the raw material of trade? However intelligent and enlightened the landed proprietors were—however versed in science, or gifted with genius, he defied them to contradict the proposition, that, in proportion as you increased the value of agricultural produce, you thereby lowered the wages of manufacturing labour, and diminished the rate of manufacturing and commercial profits. While this proposition was unrefuted, and incapable of being refuted—for he challenged all the landed proprietors in that House, or in the other House, or in the country, to disprove the demonstrations that had been made on the subject,—how, he asked, could the agriculturists attempt to continue the system? Did they think the industrious and intelligent people of England would allow themselves to be put down, even without a reason, for no reason was given? Those who were endeavouring to keep up the system of restriction and monopoly were contending against an irresistible power—they were contending against the power of knowledge, and struggling with the omnipotence of truth. He hoped his own peculiar and intelligent countrymen, the members for Ireland, would support a proposition for the total abolition of the Corn-laws. If they were consistent and true to their own principles, they would support a motion for the total abolition of the Corn-laws. [*No, No!*] No, no! He said yes, yes; and he would show them why. The Irish patriotic and liberal Members loudly complained, and no doubt complained with justice, that absenteeism was a great evil, and that one cause of the poverty of Ireland was the great amount of rents which was withdrawn by absentees. Now, if they would let in Polish corn, rents would fall, less would be taken away, and more would remain in that unhappy country to feed the people. He had one gentleman in his eye, the representative of one of the greatest agricultural counties in the world, and he thought he had reason to reckon with confidence upon his support of such a measure. But these gentlemen were also advocates of a Repeal of the Union, because they said, that they had no protection for their manufactures; and that, if the Union were repealed, they would put on a small protecting duty, and England, in return, would put a countervailing protecting duty upon her produce. But he said, that the abolition of the Corn-laws would produce the same effect; the people of Ireland might then prosecute their manufactures with success, because they would have labour so much cheaper. An hon. friend of his complained of the distress of the agricultural interests in Ireland. Now, as there were no poor rates in that country to oppress the farmer, and as wages were low, there could be no cause for that distress except the high rents of land;

and there was nothing that would tend so effectually to lower that rent, and, consequently, to remove the distress, as allowing the people of England to have cheap corn. Therefore, he was sure that his hon. friends, the members for Ireland, would support the motion of the hon. member for Middlesex. But, putting all that aside, and coming to the real question before the House, he asked, was it possible to maintain the present Corn-laws in a great and intelligent manufacturing country? Was it possible to continue a system which tended to contract the foreign market for our manufactured goods, to lower the wages of labour, and to depress the profits of capital and commerce. He said it was impossible, and unless his hon. and learned friend, the member for Kircudbright, with all his ingenuity and intelligence, could show that wages and profits would not fall by raising the price of human food, he was sure he would say, with the candour which distinguished him, that the Corn-laws could not and ought not to be upheld. There never was a country so blessed with the elements of prosperity as England; with her coal mines spread over the country, more inestimable than gold and silver, giving, as it did, unequalled advantages in manufacturing for the foreign market. All we wanted was cheap corn, and in consequence of that want, the foreigner was enabled to enter into competition with us. We had cheap fuel; the foreigner had cheap corn. In Saxony some kinds of goods could be manufactured cheaper than at Manchester, and therefore the high price of food here robbed England of the advantages which she ought to enjoy in working up her manufactures. Some persons said, that the price of corn would not fall much in England if the Corn-laws were repealed. He cared not whether it did or not. He knew, if the price of corn did not fall here, it must rise on the continent, and thus the comparative disadvantage which we laboured under would be done away with, and England, when she had food as cheap as the foreigner, would derive the full advantage of the cheapness of her fuel. When it was said that those persons would deceive the people who endeavoured to persuade them that the abolition of the Corn-laws would give them cheaper bread, let that argument be pushed to the uttermost, he would answer, that we at present laboured under the disadvantage of dear food, and that if these laws were removed, we should reap the entire advantage of our cheap fuel. There was no possible limit to the prosperity of England, if the ports were only thrown open to foreign corn. Every quarter that was imported would be a payment for some manufactured goods of our own. With every importation of corn, the demand for our manufactures would increase. When we considered the agricultural resources of Russia and of the great continent of America, and compared the condition of England with those countries, the human imagination could set no limits to our prosperity, if we had cheap food, and an unrestricted supply of the raw material for our manufactures. He had endeavoured to draw a picture of the condition in which the country would stand, if the manufacturing population were doubled; but he was convinced that if these restrictions were removed, the population would go on increasing as rapidly as the human constitution was capable, and would double itself in twenty-one years. Why was America so happy? Because, as population increased, it spread over that hitherto unreclaimed country, and food was cheaply raised. Why was England not so prosperous? Because she was hampered by restrictions upon the supply of food. Let this system only be relaxed—let the duties upon human food and raw materials be done away with, so as to give high wages and profits,—and he was convinced that capital and population would accumulate so rapidly that we should soon attain a degree of national prosperity which his imagination could not reach; and, which, therefore, he could not attempt to describe. He would say, in conclusion, that the landed proprietors of England were upon their trial. They must come forward in the face of an enlightened country, and say, that the demonstrations made by those who had philosophically investigated the subject contained some inherent fallacy; before they could establish a justification of the present system. They must show particularly that human labour could obtain high wages when employed in cultivating a soil which yielded barely sufficient for subsistence. They were upon their trial, and declamation would not do—[*"Hear, Hear."*] "Yes, hear it!" he said. The hon. member for Essex must produce a demonstration that by increasing the value of corn the profits of labour and wages would not be diminished. Although he rose to second the Motion of the hon. member for Middlesex, yet if any one would show that the increasing the value of corn would not lower the rate of profits and wages, he would vote for the continuance of the present system.

Sir *James Graham* said, the hon. and gallant Gentleman who had just sat down had observed, that the landed interests of England were now upon their trial. He should be sorry if that great interest were to suffer, in consequence of its defence being intrusted to so feeble an advocate as himself, or from the hon. and gallant Member being one of the Jury; yet so satisfied was he of the strength of the cause, that he was not in the least afraid of the result of this evening's trial. The hon. and gallant Officer had taken upon him not only to point out the line of the trial but also to frame the issue, and to say that it was incumbent upon the landed interest to prove, that the continuance of the existing Corn-laws was for the interest of the country at large. He accepted that issue, and would endeavour to establish his case upon that footing. The gallant Officer had said, that declamation was useless. Declamation was not in his power; and if it were, he should not attempt it on this occasion. He would rather follow the example of his hon. friend, the member for Middlesex, who, he must say, had brought the question forward in a tone of calm and deliberate discussion, which it would be his duty to imitate, and from which he hoped that the House would not depart, notwithstanding the somewhat intemperate vehemence of the hon. and gallant Member. Before he went further he would observe, that there were two or three points in the speech of the hon. member for Middlesex, in which he had the pleasure to state his entire concurrence. The hon. Gentleman had said, that, in deciding this question, it was the duty of the House to consider what would be for the interest of the whole community. He should never take the view he did of this subject, if he were not convinced, in his mind and his conscience, that the maintenance of the existing Corn-laws was for the interest of the community at large, that interest being duly and dispassionately considered. He stood there as the representative of a large county, containing not only agricultural, but also extensive mining and manufacturing interests. He had the honour to represent that county both in and out of office; and he felt satisfied, that the opinions he was about to express were the opinions of an overwhelming majority of his constituents. The hon. member for Middlesex had said, that it was very difficult to draw a line between the interests of the manufacturing and agricultural population. This was a truth which it was impossible to deny; for, although at the first blush, it might appear that the Corn-laws were opposed to the welfare of the manufacturing population, yet, so difficult was it to draw the line between that which was likely to give prosperity to the agricultural, as distinguished from the manufacturing classes, that it might be assumed that these interests were identified, and that agricultural prosperity was the foundation of manufacturing and commercial prosperity also. If, therefore, he could show, that the proposition of the hon. member would be fatal to the landed interest, he should then contend, on the ground that all these interests were so interwoven as not to be separated, that any measure which would give a death-blow to the landed interest could not be consistent with the prosperity of the manufacturing or commercial classes of the country. The hon. member for Middlesex, in his first sentence, expressed a wish in which he cordially participated; namely, that this question might be settled; but then, the hon. Member had gone on to prove that it could be settled in one way only, and that was by a Repeal of the Corn-laws. This would be altogether inconsistent with the interest of the landed aristocracy, and of the farming interest also. Even if the aristocracy were swept away, and the connection of the farmer with them dissolved, the inevitable consequence must be, that the agricultural labourers would be thrown out of all employment. The hon. Member said, that perpetual changes were in themselves a serious evil; yet what had he recommended? Not a change once for all, but a progressive series of changes. The hon. Member did not take his stand upon a fixed duty, for he declared that a fixed duty was not his ultimate object, but a free trade in corn; thus taking the very course he ought, with any regard to consistency, specially to condemn. The hon. Member said, he would, in the first instance, have a fixed duty. He could not understand, by what solecism in language the hon. Member called that a fixed duty which was to descend at the rate of 1*s.* per annum, until totally abolished. The hon. Member's proposition was only a medium between a sudden dissolution and a lingering death; and, in his opinion, the greater evil was the prolongation of uncertainty. The hon. Gentleman had said, that one great benefit which would result from a free-trade in corn would be, an increase of population; and in the same breath he alluded to a surplus population as an evil—and recommended emigration as a remedy. He (Sir J. Graham) did not rest upon the inconsistency of the argument alone, for he would state a fact, which, if the increase of population was a good, would show that that good had not been prevented by the Corn-laws, because the population had gone on progressively increasing under the existing Corn-laws. It was worthy of observation, that this change was sought for at a moment when the manufacturing population were in full employment, and when the only part of the population which was without employment was that consisting of the agricultural labourers. The hon. Gentleman said, he would consider this as a British question; but, instead of doing so, he took more enlarged views of the subject, and considered it as a European question. To his (Sir J. Graham's) astonishment, he found, that the object of the hon. member for Middlesex was not to lower the price of corn, for he appeared to have thrown aside altogether the vulgar idea of cheap bread. The hon. Member called upon the landed interest to submit to a change which they thought destructive to their prosperity, and without the expectation of having bread at a lower price; for the hon. Member supposed that his measure would produce no such effect, nor would it lower the rate of wages, or increase the profits of the labouring classes generally. The object of the hon. Member appeared to be, to cause the agriculturists of the kingdom to incur the greatest risks for the space of two or three years, not with the view of lowering prices in England, but rather with a view of raising prices throughout Europe, and thus placing it more upon a level with every thing in England. He would not admit that the European policy of the hon. Member could be realised; and he would, therefore, prefer keeping the present moderate price of corn, and treat the subject only as a British question. The hon. Gentleman had said, that the present protecting duty had been so moderate, that on an average it had only amounted to 6*s.* 8*d.* per quarter, and stated that his measure would increase this duty to 10*s.* per quarter, and thus yield a greater revenue than was at present derived from that source. This was all very good if the question were to be viewed as a fiscal arrangement, on the admission that corn was a proper article to be taxed; but that House, in considering the measure as one calculated to benefit or injure the agricultural classes of the community, would view the subject differently. The hon. Member might think it a good tax; but that House would first consider whether it was consistent with the public good, and whether it could be adopted with benefit and perfect safety to the landed interest. The two hon. Members who had spoken, had professed themselves to be warm friends of the landed interest, and said, that the proposed measure was politic, desirable, and even necessary to that interest. Now, whatever might be the imperfection of understanding in the landed gentlemen, he should contend, that in that which was conducive to their own interests, they were capable of forming a judgment for themselves, and would not take the opinions of the hon. Members in opposition to their own. He agreed with the hon. member for Middlesex, that it was not possible for any set of men to have a deeper interest in the employment of the labouring classes than the landed interest, for the value of the products of the country depended altogether on the labouring classes. If those classes were not contented, happy, and fully employed, there could be no safety for the State, and no security for individual property. For his own part, as a landed proprietor, he would not advocate any question which he thought inconsistent with the welfare of the great labouring body of the country, manufacturing as well as agricultural. The hon. member for Bolton (Colonel Torrens) argued, that if the landed interest ceased to grow corn, the land might be converted to produce other articles equally as profitable; such as butter, cheese, and wool; and large tracts might be converted into sheep-walks. It was proved, however, before the Committee of last Session, that the land likely to be thrown out of cultivation would be the cold clay land of England, which was incapable of being converted into sheep walks. It was a very remarkable circumstance, that that land in our southern counties, which had been longest in cultivation, was precisely that land which was capable only of growing corn. It was certain that some of this land was not suited to the growth of wheat, which required constant labour. The consequence of throwing this land out of cultivation would be, that it would cease to produce; and if that were the only evil, it would be considerable; but it was not. It could not be thrown out of cultivation without depriving of employment the whole mass of agricultural labourers. The hon. and gallant Officer, the member for Bolton, who seconded the motion, had stated, that the question had been always argued in that House speciously, and that hon. Members always regarded a secret interest under the garb of protecting the interest of the entire community. Now, it was an established fact, that no country in Europe, from the most wealthy to the very poorest, consumed anything like the same quantity of wheat, in proportion to their numbers, as the inhabitants of the United Kingdom. Therefore, in his opinion, it was of the very highest importance—nay, it was absolutely necessary to our safety—that our supply of wheat should be constant and abundant,—so abundant as to leave out the possibility of scarcity, so constant as not to put it in the power of a foreign country to injure or annoy us. It was absolutely necessary, that we should be entirely independent, and that the supply necessary we ourselves should grow, because we ourselves consumed it. On this subject he should quote an authority, which the gallant Officer himself would admit to be a high one—an authority, indeed, which was indisputable, one to whom economists ever bowed—the Coryphæus of free-trade—whose opinions were the corner-stone of it, and whose memory would ever be held in the highest possible respect so long as talent was valued in that House. It did so happen, that he was about to quote the opinions of a man who was generally looked upon as not very friendly to the landed interest — he meant the lamented Mr. Huskisson. That right hon. Gentleman had stated in a pamphlet—'The history of the country for 'the last one hundred and seventy years 'clearly proves, on the one hand, that 'cheapness produced by foreign import is 'the sure forerunner of scarcity; and, on 'the other, that a steady home supply is 'the only safe foundation of steady and 'moderate prices.' But Mr. Huskisson did not overlook the fact, that, in 1765, a remarkable change took place in our Corn-laws. From the reign of Charles 2nd, down to 1765, the policy of this country was to prohibit the importation of corn. There was a duty of 8*s*., when the price rose to 51*s*., which, at that period, was tantamount to a prohibition. On this subject Mr. Huskisson said, 'During 'upwards of 100 years, up to the year '1765, the import of foreign corn was 'restrained by very high duties. What 'was the state of the country during those '100 years?—That, in ordinary seasons 'our own growth supplied a stock of corn 'fully ample for our consumption;—that, 'in abundant seasons, we had some to 'spare, which we exported;—that, in bad 'seasons, we felt no want, and were under 'no apprehension;—that the price of corn 'seldom varied more than a few shillings 'per quarter;—that we had no years of 'inordinate gain to the farmer, and of 'starvation to the consumer;—that prices, 'instead of rising from year to year, were 'gradually diminishing, so that at the end 'of this long period of a century, during 'which we never imported foreign corn, 'they were actually one-fifth lower than 'at the beginning of it. Would to God 'that we had continued this salutary 'system! But, in 1765, it was most unfortunately abandoned. What has been 'the result? Precisely the reverse of the 'former system. Instead of a steady 'supply, afforded at steady and moderate prices, we have witnessed frequent 'and alarming scarcities. Every year our 'dependence on foreign supply was increasing, till the war came, and, by interrupting that supply, greatly aggravated 'all our evils, for a country which depends 'on enemies or rivals for the food of its 'people, is never safe in war. In the first 'eighteen years of this war, we were forced 'to pay sixty millions of money (to nations, 'every one of whom has, in the course of 'it, been an enemy) for a scanty and inadequate supply of foreign corn; and when, 'for this purpose, we had parted with all 'our gold, and even our silver currency, 'combined Europe shut its ports against 'us, and America co-operating, first laid 'an embargo, and then went to war.'

Now, what did he say further on this subject?—'In peace, the habitual dependence 'on foreign supply is dangerous. We place 'the subsistence of our own population, 'not only at the mercy of foreign Powers, 'but also on their being able to spare as 'much corn as we may want to buy. 'Suppose, as it frequently happens, the 'harvest in the same year to be a short 'one, not only in this country, but in the 'foreign countries from which we are 'fed—what follows? The habitually exporting country, France, for instance, 'stops the export of its corn, and feeds its 'people without any great pressure. The 'habitually importing country, England, 'which, even in a good season, has hitherto 'depended on the aid of foreign corn, de'prived of that aid in a year of scarcity, 'is driven to distress bordering upon fa'mine. There is, therefore, no effectual 'security, either in peace or war, against 'the frequent return of scarcity, approach'ing to starvation, such as of late years 'we have frequently experienced, but in 'our maintaining ourselves habitually in'dependent of foreign supply. Let the 'bread we eat be the produce of corn 'grown among ourselves, and I, for one, 'care not how cheap it is; the cheaper 'the better. It is cheap now, and I re'joice at it, because it is altogether owing 'to a sufficiency of corn of our own 'growth. But, in order to insure a con'tinuance of that cheapness, and that suf'ficiency, we must ensure to our own 'growers that protection against foreign 'import which has produced these bless'ings, and by which alone they can be 'permanently maintained.' Mr. Huskisson delivered these opinions in 1815, the period when the heavy restrictive duties were imposed.

Mr. *Hume*: Did he not change his opinions?—["No."]

Sir *James Graham*: When?

Mr. *Hume*: Why, in 1821.

Sir *James Graham*: Change his opinions?

Mr. *Hume*: To be sure he did.

Sir *James Graham* would join issue with the hon. Member. He held in his hand the Report of the Agricultural Committee, drawn up in 1821,—drawn up, he believed, by Mr. Huskisson, and from it, he could, certainly, draw no such conclusion as that Mr. Huskisson had changed his opinions. Let the House remark, that he was now about to quote from a Report which was drawn up by the lamented Gentleman himself. Now, what were the remarks?—did they show any departure from the general principles previously laid down? The Report said, 'Your Committee are not insensible to 'the importance of securing the country 'from a state of dependence upon other, 'and possibly hostile, countries, for the 'subsistence of its population.' The terms were almost the same; and if they were not, he could assure the House, he would not, for the sake of obtaining an advantage in debate, have quoted one word, if he thought that, by so doing, he exposed the memory of that great statesman to the slightest taunt. The measure which now regulated the corn-trade of the country, and which the hon. Gentleman found such fault with, was the measure of Mr. Huskisson. [Mr. *Hume*: No, no.] He would appeal to the right hon. Gentleman's colleagues—to hon. Members right and left—whether it was not a measure which he particularly favoured; whether the duty, as it now stood, was not his own suggestion; or, more correctly speaking, whether the scale of varying duties was not suggested by him, in direct contradistinction to a fixed scale, on the ground, that a fixed scale was highly dangerous, and wholly inapplicable when the landed interest most required protection—the season when the crops might happen to fail? He knew that to have been Mr. Huskisson's opinion, for he had it from himself. In his judgment, the great excellence of the present law was, that, as the price rose, the duty declined, thus giving both relief to the consumer, and protection to the agriculturist. The next point to which he (Sir James Graham) should allude, was, the nostrum prescribed by the hon. member for Middlesex, the ultimate effect of which would be, an absolute free trade in corn. It was a hardship, that, in debating important matters, terms were thoughtlessly, and sometimes flippantly, used, which ought never to have been used at all; and he should contend, that as the hon. Gentleman applied the words "free trade," they could have no meaning; such a thing as free trade did not exist. Mr. Huskisson himself never contemplated such a state of things; he never made any attempt at "free trade;" he never applied the term "free trade" to his measures, but spoke of them as they really were—a substitution of protecting for prohibitory duties. What course did Mr. Huskisson take with respect to the silk trade? Did he make, or attempt to make, what was called a "free" trade in silk? He laid a duty of twenty-five per cent, or rather, the minimum was twenty-five per cent on silk, which, as far as certain goods—gauzes, he believed—were concerned, was afterwards raised, and was at the present time little below forty or fifty per cent. Now, this was what was called free trade. The hon. member for Middlesex had shown, that the only protection the agriculturists now had, did not amount to more than 6*s.* 8*d.* per quarter; and was that equal to the protection given to silk? And what, he would ask, were the grounds on which Mr. Huskisson defended the imposition of these duties? Expressly, that, as our manufactures were burthened by taxation, a protection as against France was not merely advisable, but necessary. He would show, that, in addition to the general, there were also special burthens pressing on agriculture, which required, that land should have a similar protection. Before he sat down, he would promise to the House to demonstrate that. Then, as to the argument of the hon. Gentleman (Mr. Hume), that the existing Corn-law, compared with that of 1815, was incompatible with the commercial prosperity of the country, he would show, that a greater fallacy could not be entertained. He desired the particular attention of the House to this, as he did not wish to be misunderstood, and his argument was very capable of misrepresentation. He would show, that under the present law, there had been a considerable increase of exports to those countries which were the chief corn-growing countries,—such as Russia, Denmark, Prussia, Germany, the Netherlands, the British North American Colonies, and the United States of America. The whole exports to those countries (and he included all articles of whatever kind) in the year 1828, amounted to 27,472,000*l.* official value; and, in 1832, 35,216,000*l.*; being an increase of one-sixth during the period that the present Corn-law had been in existence. But, perhaps, it would be fair to state the British and Irish exports only, and the hon. Gentleman might have the declared or official value, or both, just as he liked. [Mr. *Hume:* The official.] Very well; the official. In 1828, the official value of exports of British and Irish produce, was 21,275,000*l.*; in 1832, the value rose to 28,031,000*l.*; showing an increase of seven millions, during the time that these decried laws had been in operation. He must beg to state another argument. The hon. member for Middlesex had undertaken to point out all the burthens to which the landed interest was peculiarly exposed; but he really thought, that the hon. Member had understated the case which might be made out on their behalf. The hon. Gentleman actually asserted, that he knew of no tax which bore directly on the land. The hon. Gentleman had wholly—he had entirely overlooked one little tax, called the "Land-tax," which, at the present time, amounted to not less than 2,000,000*l.* The hon. Gentleman had expressed a doubt, too, on the subject of tithe—whether or not it bore exclusively on the land. Wishing to resolve the doubts of the hon. Gentleman, he would beg leave to quote an authority of some considerable standing on the subject. Mr. Ricardo said thus:—'The growers of corn are subject 'to some of these peculiar taxes, such as 'tithes, a portion of the poor-rate, and, 'perhaps, one or two other taxes, all of 'which tend to raise the price of corn, 'and other raw produce equal to these 'peculiar burthens. In the degree, then, 'in which these taxes raise the price of 'corn, a duty should be imposed on its 'importation. If from this cause, it be 'raised 10*s.* per quarter, a duty of 10*s.* 'should be imposed on the importation 'of foreign corn, and a drawback of the 'same amount should be allowed on the 'exportation of corn. By means of this 'duty, and this drawback, the trade would 'be placed on the same footing as if it 'had never been taxed; and we should be 'quite sure, that capital would neither be 'injuriously, for the interests of the country, attracted towards, nor repelled from 'it. The greatest benefit results to a 'country when its Government forbears to 'give encouragement, or oppose obstacles, 'in the way of any disposition of capital 'which the proprietor may think most 'advantageous to him. By imposing 'tithes, &c., on the farmer exclusively, no 'obstacle would be opposed to him, if 'there were no foreign competition, because he would be able to raise the price 'of his produce; and if he could not do so, 'he would quit a trade which no longer 'afforded him the usual and ordinary pro-'fits of all other trades. But, if importa-'tion was allowed, an undue encourage-'ment would be given to the importation 'of foreign corn, unless the foreign com-'modity were subject to the same duty, 'equal to tithes or any other exclusive 'tax, as that imposed on the home-'grower.' The hon. Gentleman surely could not be doubtful now on the subject of tithes, or assert, that land was not subject to direct burthens. There was tithe to pay—there was the Land-tax—simply two millions—the Malt-duty, no very trifling impost—county rates, which, in fact, put the landed proprietors in the place of public prosecutor; these were the burthens resting solely on the land. But he would only refer to tithe and poor-rate, of the amount of which he happened to have an estimate, which had been given him, in some degree, as an award by the Legislature, and which set these burthens down at three-and-thirty per cent on the amount of rental. [Mr. *Hume:* Three-and-thirty on the rental?] The amount was three-and-thirty; and as the hon. Gentleman seemed to be taken by surprise, he would call his attention to the time and circumstance when the award, as he termed it, had been made. At the time that the Property-tax was imposed, 1*s.* 6*d.* in the pound was charged as the farmer's share. Scotland remonstrated against this, on the ground, that tithe and poor-rate were both computed in their rent, which was not the case in England, and the consequence was, that, after a fair consideration of the question, the tax was reduced to 1*s.* in the pound for the farmers of Scotland, and maintained at 1*s.* 6*d.* for the English farmers. Therefore, as he before stated, the Legislature had decided, that the amount of tithe and poor-rate was thirty-three per cent on rental. He presumed, that the hon. member for Middlesex would get over that difficulty by telling the House, that it was proposed to have a commutation of tithe; but even, supposing that accomplished, which it was not, and could not be for some time, still he would say, that tithe was a charge upon land, and never could cease to be one of its burthens. If argument founded upon the expected commutation of tithes was good for anything, it was far more powerful against the Motion than in its favour; for what did it come to? Nothing more nor less than this—"You are on the eve of making great changes, which, when they come into operation, will permit the free importation of corn upon just principles and without injury to any one; but, by all means, take care that you admit the foreign corn before those circumstances take place which alone can justify that admission." Let not the House forget that the hon. Member had, in express terms, admitted, nay, unhesitatingly avowed, that his Motion was but a stepping-stone to perfect freedom of trade; but, in the meanwhile, that stepping-stone was to be a resting place, and one of some duration too. Did he suppose, then, that during the long interval which of necessity must elapse between the alteration of the present law and the establishment of the hon. Member's fondest hopes, popular discontent could be prevented? Did he or did any man suppose that a fixed duty would give satisfaction to the people at large? What their sentiments were on the subject there was, he believed, no reason to doubt. Very conclusive evidence of the prevailing opinion out of doors was to be found in the columns of a leading journal, which, while it greatly influenced the public feeling, was a pretty sure index of its nature and tendencies. He should now read from the journal to which he had been alluding, a passage the most condemnatory of a fixed duty that it was possible to conceive:—'As to a "fixed" 'duty, it is neither more nor less than a 'fixed evil—a fixed discouragement of 'manufactures—a fixed robbery of the 'consumer by the producer—a fixed 'bounty upon foreign industry, to the 'detriment of British—a fixed aggrava-'tion of the burthen of the Poor-laws—'a fixed monopoly of subsistence against 'a hungry multitude.' The hon. Gentleman would probably desire no better proof of the utter insufficiency of his plan to produce content in the public mind, than was to be derived from the extract which the House had just heard; but he seemed to think, and perhaps justly, that the proposed alteration in the Corn-laws would have the effect for a time of raising prices. The hon. member for Middlesex had more than once declared, that the effect of an alteration in the Corn-laws would be to raise prices abroad. But he was prepared to prove, that a free trade in corn would raise prices here, and not abroad. And what was the fact?—In the year 1673, the trade in corn was perfectly free, and the average price was 53*s*. The corn-trade was then restricted, and the prices gradually fell. From 1700 to 1735, the price, in the earlier part of that period, was 39*s*. 2*d*.; in the latter, 34*s*. 10½*d*. From 1766 to 1774, they had eight years of free trade; and he begged attention to the consequence; the average price was 50*s*. 10*d*., being a difference of 15*s*. In 1773, there was an alteration of the law not very material to the question under consideration, and the price from that to 1791, was 49*s*. 2½*d*., being a difference of 13*s*. 4*d*. From these facts it was evident that the operation of free trade was to produce fluctuations and high prices, while the effect of an opposite system was uniformity and steadiness. To refer to what he conceived likely to be the evils of the change, the first effect, if it should ever be carried into operation, would be to throw land out of cultivation, and diminish the demand for agricultural labour; and he would ask, what then was to become of our surplus population? Those labourers would cease to consume to the same extent as if they were employed; the shop-keepers would suffer; and they would make fewer demands on the manufacturers. It would therefore immediately operate upon the manufacturing classes, diminishing the demand for their productions, and producing a depression of wages. That again must act injuriously upon the interests of agriculture, by diminishing the demand for agricultural produce, and depressing the wages of the agricultural labourers; and so the whole operation would proceed in a vicious circle, and one body of labourers would go on displacing another, until the manufacturing interests themselves would be forward to regret, that there ever had been a free trade in corn; and he hesitated not to predict, that the ultimate effect would be the total destruction of the manufacturing interest of the country by destroying the home market. He did not undervalue the foreign market; it was the great stimulus to manufactures; but the zeal to extend it should not lead to the destruction of the home market, which would be fatal to the prosperity of all. The hon. member for Bolton had made an appeal to the Irish Members on behalf of the Motion then before the House—he, too, would appeal to the same parties, confident that they would see that the true interests of their constituents were identified with the maintenance of the present system. The hon. and gallant Member had stated, that there was a resemblance in the situation of Ireland and Poland, as to the export trade in corn of those two countries. The parallel was more strictly correct than the hon. and gallant Member seemed, by his afterwards relinquishing it so apprehensively, to imagine. He had sought with much pains accurate *data*, to institute a comparison in this respect, both as to prices of corn in Ireland and in Poland, during a certain period. He quoted from an authority, he hoped altogether unimpeachable, the house of Armand and Verny, of Dantzig, in Poland, which assured him, that there was above one-third of that vast country waste, and that great tracts of country were now thrown in pasture for want of a market. The issue of these inquiries as to the probability of receiving an adequate supply of corn from Ireland to meet our deficiency in cases of short harvests, was, that a great quantity of land was also waste in that part of the United Kingdom. It was represented, that in Poland, from peculiar circumstances, a great quantity of corn was habitually consumed by the cattle. It was also the opinion of these intelligent gentlemen, that Poland would export perhaps three times as much corn as was now exported, without growing a single blade more. The returns of the prices of corn during the years 1832 and 1833, in the province of Volhynia, enabled him to strike the average price for that period at from 36*s*. to 38*s*. per quarter. The prices in Ireland, in 1833, were, for wheat, 41*s*. 6*d*.; for barley, 26*s*. 7*d*.; oats, 12*s*. 6*d*. the English quarter; but the average for the last two months was as closely as possible the same as in Poland, being 37*s*. 4*d*. a quarter, which also was about the same price it bore in Canada. Would the House, then, taking the European view of the hon. member for Middlesex, and disregarding Ireland and our colonial possessions, prefer the produce of foreign countries to the produce of his Majesty's dominions, Let it be remembered, that our North American colonies were the outlets for our surplus population; and the question was, he repeated, whether they should be cultivated, or Poland. He could not hesitate, and he now would appeal to Irish Gentlemen, whether they would not prefer that our supplies should be drawn, in cases of emergency, from Ireland or our colonies in America—a great and rising country—to importing it from a foreign country? "Encourage (he said) the growth of wheat, above all things, in Ireland. I rejoice in the ports of this country being open to Irish corn; and I hope sincerely, that her full participation in the benefits of our trade and our institutions will render the Union between the countries perpetual, which I believe never can be safely calculated upon, unless we secure to Ireland all the advantages of the English market." The hon. member for Middlesex had stated, that prices were kept so high as to interfere with the manufacturing interest. That assertion could only be controverted by facts, and to facts he would appeal. He ventured to predict, on the restoration of the ancient standard of value, that the price of wheat in this country could not exceed the average price of the last century, as judged by the same standard. What was its average price during the last century? It was 50*s*. From the restoration of the standard in the reign of William 3rd, down to the year 1792, there was no quinquennial period in which it exceeded 49*s*. 11*d*. During the last six weeks, with a regulated duty, it had actually been 48*s*. 11*d*.,—1*s*. less. That fact was conclusive of this point,—that an exorbitant price of corn was physically impossible. A scarcity, indeed, might arise from the vicissitudes of seasons, under the existing law, and the price might be raised at home; yet, in that case, importation was not only not prohibited, but it was even favoured. But in years of average production, it was his belief, judging from both theory and experience, that the price could not exceed 50*s*. the quarter. He was not disposed to weary the House by recapitulating the evidence taken before the Agricultural Committee of last year; its tendency was to this effect,—that rent, and all prices, were rapidly accommodating themselves to the existing standard. The opinion expressed by the Committee was, that no sudden or hasty interference should take place; that much individual suffering, indeed, must occur, but that the general tendency of things was to settle down to a steadiness of price. He hoped, then, that as a deliberative assembly, the House would pause and consider seriously before it deranged a matter of such importance; involving, in that confusion which must attend all rash experiments, the price of agricultural produce. As the organ of the Committee in question, he stated, that steadiness of price was above all things to be considered; that it was the primary object never again to be overlooked. The Committee, in their Report, not only delivered that opinion, but endeavoured to trace—and to trace with precision—what had been the effect of the present law in that respect. From the account given by the Committee, the following statement, showing the aggregate average price of each quinquennial period between 1797 (when first any approximation was made to accurate official returns of the average price of corn throughout England) and 1833, and the per centage of each variation—omitting the intermediate period, between 1826 and 1829, when the existing law came into operation; had been drawn up:—

Quinquennial Period.	Average.		Variation.
	s.	*d.*	
1797—1801	79	1	220 per cent
1802—1806	69	9	100
1807—1811	88	5	74
1812—1816	82	2	183
1817—1821	74	0	143
1822—1826	56	1	81
1829—1833	61	8	49

He begged the attention of the House to the evidence afforded by this statement. In the five years, 1822—26, when, at precisely the same period, the restriction law of 1815 was in operation, and a great alteration had taken place in the value of money, then the price of wheat fell, as will be seen, from 74*s*. to 56*s*. the quarter, and the variation became reduced from 143 per cent to 81 per cent. But, during the five years 1829—33, the price of corn being 61*s*. 8*d*. the variation only reached 49 per cent. Were it necessary to push these arguments further, he was in a condition to extend them so as to prove, to most incontestible demonstration, the superiority of our present law, as regarded steadiness of price, to even a free importation of corn,—the measure contended for by the hon. member for Middlesex. He would next compare our prices to those of Rotterdam; and he appealed to the hon. member for Essex to say whether he could take a fairer market for this purpose than that of Rotterdam, where there existed a perfect free trade in corn? In the five years to which he had just alluded, the variation in the English market being 49 per cent, the variation in that of Rotterdam was 91 per cent. The hon. Gentleman might say, that the extreme variation in former periods had arisen from the disturbed state of the English corn-market, induced by war; but let him remind the House, that the hon. Member called upon it to revive that very state of things; for his recommendation was, to place the country in that condition of dependence on foreign importation, in which the caprice or misgovernment of any neighbouring State might derange our whole policy. The hon. member for Bolton appeared to think the question before them was a landlord's question. That was the opinion of many other persons, and, therefore, to that he should apply himself. Few, perhaps, there had waded through the whole contents of that voluminous report of the Agricultural Committee; but many persons had attended pretty steadily throughout the examination detailed in its pages, and they and the hon. Member would recollect the examination and evidence of a very intelligent witness—Mr. Oliver. He had been asked whether, when once rent and prices had accommodated themselves to the change in the circulating medium, the Corn-laws would not become a landlord's question? To which he had replied in the affirmative, and remarked, that labourers' wages would not afterwards be very materially affected, and, consequently, they would not be particularly interested in the question. Upon maturer thought, however, that gentleman changed his opinion, and when cross-examined, he acknowledged his first declaration to have required qualification, and admitted that the labourers were as much interested in the question as the landlords. He stated, that if 3,000,000 quarters of corn were imported into the country, the number of labourers who would be thrown out of employment must, of course, depend upon the number of acres of land necessary to produce so much marketable corn, and the inutility of the land so thrown out of culture. In a former part of his evidence he stated, that twelve bushels for each acre producing corn was required for seed and feeding farm horses, and, consequently, the marketable corn was the excess of the gross produce over twelve bushels per acre. If, then, it were supposed, that land producing eighteen bushels per acre would be thrown out of cultivation, it followed, that the extent would be one acre for each six bushels of the quantity assumed to be imported, which would give, in round numbers, 4,000,000 of acres. Assuming, then, that the land to be thrown out of cultivation in the case put, would be equal to the production of 24 bushels per acre, the extent thrown out would be 2,000,000 of acres; and if the gross consumption of the empire, or the gross produce, at the usual Estimate of 50,000,000, were divided by 36 (the estimated average number of bushels produced per acre) it would give 18,000,000 of acres as the land annually producing corn. The quantity of land which would thus be rendered unsusceptible of culture by the annual importation of 3,000,000 quarters, would be 2,000,000 or about one-ninth part of the land now under corn crops, and, according to the proportion of the population dependent on agriculture, as ascertained by the last census, it followed, that between 900,000 and 1,000,000 of individuals would be deprived of their present means of subsistence, of whom about one-fourth part, or say from 200,000 to 250,000 might be considered labourers. After that statement, he (Sir James Graham) would confidently ask the House, was that a landlord's question which he advocated? To him it seemed so much to involve the good of the labourers, that he dreaded, by meddling with it, to derange the present system, and involve them in ruin, and the country in disaster. The economists, however, had a cure for these evils; but, the present, he confessed, was one of those questions on which he felt himself compelled to differ from that class of enlightened and ingenious men, for whom, on all other questions, he entertained great respect. There was no question in which they pushed their theories to a more dangerous length than that of the corn trade; their argument being, that the hands thrown out of employment by the free admission of foreign grain must be elsewhere absorbed. He would appeal to the hon. member for Oldham, than whom no one was better acquainted with the circumstances and habits of the rural population, and he should judge between him and the economists, whether any absurdity could be greater than the supposition, that the ploughman was capable of being made to spin. Let them conceive his iron hands manipulating cotton,—his ponderous strength stooping to manufacture bobbin-net, and his hardened constitution, accustomed to all the vicissitudes of climate, transplanted to the atmosphere of a workshop,—and they would feel that such speculations were impracticable;—that they might, indeed, serve well enough for day dreams to the political economists, but that nature herself would rebel against the attempt to carry them into execution. There was one other subject at which he wished to glance before he sat down, which was most satisfactorily established in the evidence given before the Committee last year,—he meant the thriving condition of the artisans and labourers employed in manufactures. He knew, indeed, that there were, as there must be, exceptions,—that some honest men, able and willing to work, could not obtain employment; but he spoke of their general state. It was admitted on all hands, that they were, so speaking, fully employed; for, indeed, it was precisely among those occupied on land, that the surplus labour was found. He was aware that he might be taunted with having used, in reference to the restoration of the standard of value, an argument which went to show that the condition of the labourer would be injured by that change; he admitted, that he was then, and that he had since been, overborne by the force of evidence; but he denied that the falsification of his opinions upon that occasion at all invalidated the line of argument he adopted on the present; the result, though different from what he had anticipated, had been most gratifying. He had to state a very remarkable instance to show, contrary to the opinion of the hon. member for Middlesex, that while wages had risen, the price of bread and other articles of subsistence had sustained a great diminution. The case which he was about to instance, was that of the strike which had recently occurred among the journeymen coopers. About a month ago they struck for an advance of wages, though the masters had, at different periods, within the last twenty years, made them an advance. The masters conceiving that they had already advanced their wages as far as was consistent with the profits of the trade, and that their present demand was an exorbitant one, refused to accede to it; and as there was a great demand at that time for casks, the master coopers, not knowing well what to do, came to the Admiralty, and requested to be supplied with store-casks from the King's Yards; and to prove that the demand was an exorbitant one, they put into his (Sir J. Graham's) possession the paper he now held in his hand. The hon. Baronet then read the following extract from the paper in question:—

In March, 1813, when bread was 1*s.* 6½*d.* the quartern loaf, the masters and journeymen met, and agreed on a list of wages, taking the price of bread and beer as the basis. In December, 1815, the masters gave the journeymen notice they wished to meet them, and in January, 1816, a list was agreed on. In January, 1819, the masters and journeymen met by mutual consent to examine and correct any practical grievance on either side. In 1825 the journeymen gave notice, that they were not satisfied with the wages agreed on in 1819, and requested the masters to meet them. Numerous meetings took place, but the masters found the demands, and the conduct of the men at the meetings of such a nature, that the masters declined any further communication with them. It will be here observed, that, from the pressure of orders, after thirteen weeks resistance, the masters were forced to pay by their list. Since then an unprecedented want of employment has occurred, still the masters continued to pay by the journeymen's list, which is included in the following scale:—

(Making, with Common Hoops).	1813. s.	d.	1816. s.	d.	1819. s.	d.	1825. s.	d.	1834. s.	d.
Stout butts	4	0	3	7	3	10	3	11	4	6
Ditto puncheons	2	10	2	9	2	9	3	0	3	6
Ditto hogsheads	2	5	2	2	2	4	2	6	2	10
Ditto barrels	2	2	2	0	2	0	2	3	2	7
Ditto kilderkins	1	9	1	8	1	8	2	0	2	4
Firkins	1	7	1	6	1	6	1	7	1	10
X hogsheads	2	3	2	0	2	2	2	2	2	4
Ditto barrels	1	11	1	10	1	10	1	11	2	2
Bread, per quartern	1	6½	1	1¼	0	11½	0	10½	0	9¼
Porter, per pot	0	6	0	4½	0	5½	0	5½	0	4

To explain the above to those who are not in the trade. Suppose a man to make, for his week's work, two of each kind of casks, as above, and the man and his family consume seven quartern loaves, and seven pots of porter weekly (their basis of wages), it would stand thus:—

		Wages. £.	s.	d.	Bread and Beer. s.	d.
	1813	1	17	10	14	3½
	1816	1	15	0	10	5¾
	1819	1	16	2	9	11
	1825	1	18	8	8	10½
(Now demanded)	1834	2	4	2	7	8

Meat, and other articles in proportion."

It would be seen from this list, that the wages of the men fell a little in 1816, the effect, no doubt, of a well known monetary operation of the time. But now, in the year 1834, when the men struck and refused to work, what were the wages they received, and what was the comparative price of those articles of subsistence upon which, as a basis, their wages had been originally fixed? The wages that they now received amounted to 2*l.* 4*s.* 2*d.* per week, while the price of bread and beer (taking the amount to be consumed by a man and his family in the week) had fallen from 14*s.* 3½*d.*, which was the price in 1813, to 7*s.* 8*d.*, which was the price at the present period. The simple facts which that document stated spoke for themselves; they were so conclusive, and so entirely confirmatory of what he had advanced, that he was sure nothing was required to add to the force of them. He was certain, that they would produce but one opinion in the House with regard to the necessity of such a Motion as that now brought forward by his hon. friend, the member for Middlesex. He had now gone through the principal part of the arguments which he had deemed it his duty to address to the House in opposition to the Motion of that hon. Member. He was about to come now to a part of the question of rather a delicate nature, but he felt, that he should be betraying his duty if he did not advert to it. The point to which he was going to allude was this—that it was impossible to regard this question of an alteration in the Corn-laws without a reference to the political considerations connected with it. He conceived, that those relations between tenant and landlord, and between farmer and labourer, which still existed in the rural districts of this country, were ties of great importance, ties which existed with comparative laxity in the manufacturing districts, and which were essentially interwoven with the greatness, the security, and the prosperity of the country. He should regret, as he had no doubt the House would regret, exceedingly to see those ties at all loosened in the agricultural districts of England. He had endeavoured to show, that the question under discussion was not a landlord's question solely, as it had been so frequently represented, but that the considerations connected with it were bound up with the interests and welfare of the community at large. It was a question with regard to which, if they should take one false step, the ruin of the landlords would not be the sole consequence—they would involve in their common ruin the great farming interest of England. It was not to the agricultural interest only that great danger was to be apprehended from such an alteration as the hon. Member proposed in the Corn-laws. It was his solemn and firm opinion, that if such an alteration should be carried into effect, the whole frame of society now existing in this country would receive an irreparable shock—a shock to which he was not disposed to subject it. He had already said, that, with respect to the effects produced by the alteration made in the standard of value, he had made, in a statement which he had formerly put forth on that subject, one mistake. He had, in offering a prediction on the subject, gone somewhat too far, as was often the case with those who attempted to foretell the future effects of measures. He had said, that the alteration in the standard of value would be the ruin of the labourer, and that it would be productive of great danger to the landed interest. He had frankly stated where he thought he had been wrong in that prediction,—would to God he had been wrong in the latter point! So far from his having been wrong upon that point, all that had since occurred had only tended to confirm the statement which he then put forth on the subject; all the previous family engagements, all the mortgages of those connected with the landed interest, had been actually increased by the alteration effected in the standard of value. The hon. member for Essex, he remembered, was then wise among the few. He then foretold what would happen as regarded the landed interest, and he had never heard the hon. Member retract what he then said. That hon. Member had sincerely stated, at the time, what, he conceived, would be the effect of the proposed alteration in the standard of value, and subsequent events had confirmed the wisdom of his predictions. The landlords were obliged to reduce their rents equivalent to the altered value of money; they were obliged to reduce their means of meeting their engagements, while the weight of their fixed engagements, instead of being diminished, was actually increased by the alteration effected in the standard of value. He concurred in what was stated on that point in the Report of the Agricultural Committee of last Session. In fact, he drew up the Report that was agreed to by that Committee. He had stated, in that report, that a matter which, according to the time presented for its consideration, might be but a trifling injustice in 1826 and 1827, would be an overwhelming and most indefensible injustice in 1833; that the landed interest having gone through a state of suffering, and having accommodated itself to the existing state of things, it would be gross injustice to subject it to such another ordeal; and that the opinion of the House should be fearlessly expressed in support of the stability of an interest of more importance than any other interest in the country. He was now prepared to do what he then called upon the House to do—he was prepared to stand by the existing Corn-laws, and to resist any the first inroad which might be attempted to be made upon them. As an honest man, he felt it his duty to resist, and to resist to the utmost of his power, any measure which went to create a sudden simultaneous reduction of rent. It was admitted by the hon. member for Middlesex, that the effect of such a measure as that which he proposed, would be a reduction of twenty per cent. in the rent of land. Now, would the House take a step calculated to produce such an effect as that? If the effect of the proposed measure should be to reduce rents twenty per cent, he spoke advisedly, when he said, that two-thirds of the landed property of England would at once change hands. Now, he conceived, that a measure, pregnant with such effects, was nothing short of injustice, and to any such measure he would not give his support. He did not think that it could possibly be any benefit to the State that a great change of proprietors should thus suddenly and simultaneously take place; it would be attended with great individual suffering—with much individual injustice. How far soever those evils might eventually attend such a large and extensive change, brought about under any circumstances, yet if it took place gradually—if large capitals should be brought to bear quietly and peaceably on the purchase of land—if an immense mass of land should not be thrown together into the market,—those necessary evils would be greatly mitigated, and the suffering occasioned by such a gradual transmutation would be comparatively slight. But if the House were, in one night, to change the existing system of the Corn-laws, the injustice thereby produced would be immense, and the danger beyond calculation. However unjust such a change in the property of the country might be under any circumstances, if gradual and not sudden, it might be safe. But, in the present instance, the change would be at once dangerous and overwhelming. He would repeat, that such a sudden change would be equivalent to an agrarian law — it would be a complete change in the existing frame of society. These were the considerations which weighed with him principally in opposing this Motion—considerations which could never be dissociated from such a measure as that now proposed. It was a measure, he would be bold to say, that would not be beneficial to the community at large, for no measure could possibly be productive of general benefit which was calculated, like the present, to bring about a great change of property—to effect great individual misery, and to produce the total destruction of an entire class of the community. It would be no small evil, when such a change would produce the destruction of an entire class of the community; and when such a class was the agricultural interest—the most important class of all. His solemn opinion was, that its destruction would be the destruction of the state itself.

Mr. *Feargus O'Connor* said, that although he should oppose the Motion of the hon. member for Middlesex, still, he agreed with that hon. Member, that the question was one that ought to be immediately settled. If foreign corn were admitted free of duty into Ireland, it would do the greatest injury to that country, which was essentially agricultural, and would throw out of employment immense numbers of persons engaged in agricultural pursuits. The people of Ireland were now but poor consumers; but, if they were thrown out of the corn market, they would be still poorer consumers both of English and Irish natural or manufactured produce. Irish exports, such as butter, pork, &c. were, upon an average, one-third less in price than they were during the war. They were told that this measure would give cheap food; but what was the use of having bread at 5*d.* the quartern loaf instead of 11*d.*, if people should be thrown out of employment, or their wages reduced in the same proportion as the cost of bread? It had been said, that the Irish Members would be unanimous in support of this measure, but he would say, that they would, as they ought to be, unanimous in opposing it: He considered that he was expressing the opinion of the great body of Irish Members when he stated, that the agitation of this question in that House would cause great mischief in Ireland, particularly if it were found in that country that the present Motion was not resisted by a great majority of that House. This was the only question on which he had ever addressed that House, in which the interests both of Ireland and England were united. If the result of the measure was only to give cheap bread, he did not see how, at the same time, the standard of rent could be kept up. He thought that, as the Representative of one of the largest agricultural interests in the country, he was entitled to a patient hearing from the House; and the more so, that in treating this question, he did not mix it up with any extraneous matters. However, he would merely appeal to the Irish Members in that House, and ask them not to be led away by the arguments or eloquence of hon. Members opposite. He would not further take up the time of the House than to call upon the Irish Members to consider this question as a national one, and, as such, not to give up, by supporting the Motion, an important portion of their rights and privileges.

Mr. *Richards* said, after the powerful speech of the right hon. Baronet, the First Lord of the Admiralty, a speech which did the greatest credit both to his talents and industry, it was not his intention to trouble the House at any length on the subject of the Motion of the hon. member for Middlesex. But there was one point which the right hon. Baronet had left unnoticed, on which he would make a few observations. The right hon. Baronet stated truly, that agriculture had peculiar burthens; but he omitted to state that, in the very nature of things, agriculture, in reference to foreign competition, was much less able to support excessive taxation than commerce and manufactures. The raising corn was a simple operation. The boors of Poland and of Russia knew how to grow wheat almost as well as the most skilful farmers in England. In fact, the manner of raising corn had not much improved since the days of Virgil. It mattered not, that the implements of husbandry, in many parts of the continent, were rude and mis-shapen; these implements answered sufficiently well the purposes for which they were used. Again, the division of labour in agriculture could not, easily, be carried to the same extent as in manufactures. The same individual was commonly found to plough, and harrow, and sow, and reap, and thresh; and, therefore, it was vain to expect equal skill and despatch in husbandry labour as in manufactures, where labour was generally divided and subdivided to an astonishing degree. When, to this, was added the astonishing increase in mechanical and manufacturing power, by the wonderful discoveries made by such men as Watt, and Arkwright, and Dalton, the House would not fail to see the wide difference in the ability to sustain foreign competition, between agriculture and manufactures. But, in regard to manufactures, we possessed natural advantages beyond almost all other countries. We had abundance of fuel, and a climate which admitted of great and long-continued exertion. And, in point of fact, notwithstanding our enormous taxation, we were able, in manufactures, not merely to compete with, but to take the lead of, all the nations of the world. To manufactures, therefore, the principles of free trade, might be safely applicable; but the same thing would not be safe for agriculture. If the ports were to be opened for the free admission of foreign grain, the agriculturists of the United Kingdom would be placed in circumstances of the most unjust and perilous kind. From our general and local taxation we could not raise corn as cheap as the foreigner. If, then, the ports were opened, the corn grown abroad would drive much of the land at home out of cultivation. The price of corn abroad would rise in the same proportion as the price here would fall. The price of corn, in the markets of Europe, would—the cost of freight and the merchant's profit excepted—find a common level. In the same degree that agriculture would be encouraged abroad, it would be discouraged at home. Landlords and farmers would alike be ruined; farms would be deserted; thousands of husbandry labourers would be thrown out of employment; and the Poor-rates would prodigiously increase, whilst the number of those able to pay rates would diminish; discontent and disaffection would spread over the country, and neither property nor life would be secure. The hon. member for Middlesex advocated the repeal of the Corn-laws, because he wished the people to eat cheap bread. He had the same wish; but he dreaded lest the attempt to make it cheaper should make it dearer, and even incur the risk of having no bread at all. If a great country like this were so far to change its policy, as to become dependent for a large portion of its food on foreign countries, circumstances might arise of the most dangerous and frightful description. Reduce the general and local taxation, and lower the cost of production, and then they might safely adopt the Motion of the hon. member for Middlesex; but the advocates for a free trade in corn began at the wrong end. The great error of the hon. member for Middlesex was, to disregard circumstances, which made that fit and proper in one state of things, totally unfit and improper in another. The natural state of the corn-trade would be that of absolute and complete freedom; but it was little short of madness to expect the British farmer, loaded with rates and taxes, to sell his grain at the same price as the foreigner. Again, the hon. member for Middlesex seemed chiefly to have relied in his speech on the assumption that trade and manufactures were distressed, and distressed in consequence of the Corn-laws; and therefore, he said, the trade in corn ought to be free. Unfortunately for his argument, but happily for the country, manufactures and trade were in a state of great prosperity. Agriculture, indeed, was distressed, but not in consequence of the Corn-laws, but in spite of them. He would not vote for the Motion of the hon. member for Middlesex.

Mr. *Gilbert J. Heathcote,* as the Representative of one of the largest agricultural counties in England, could not but trespass a few moments upon the attention of the House. It was a fact but too well acknowledged, that the interests of the land had so fallen as to be of little or no value at all to the holders; and that farmers gained no profit for their capital and labour, whilst the landlord's rents were reduced to a mere nothing. Rents and rates had changed places; and while the whole population of the kingdom had very much increased, the agricultural population was diminished, not only in England, but in Scotland and Wales. The hon. member for Middlesex had said, that the Corn-laws were for the benefit of the few, and not for the many. If this were a question affecting the interests of the landlords only, he would not say a word on it; but on the part of a very numerous portion of his Majesty's subjects, the small gentry, the yeomanry, and the labouring population of the country at large, as well as the artisans of small provincial towns who supplied those agriculturists with implements and other articles of manufacture; for the sake of these extensive interests, he claimed some consideration from that House. In so important an alteration as that proposed by the hon. member for Middlesex—one calculated to affect so many interests—he should surely come forward with the opinions and wishes of the country at his back; but he maintained, that great and influential bodies in the country held different opinions. In the county which he represented there was a strong and general feeling against the scheme of the hon. Member; and he represented a county that possessed more property than half the boroughs that sent Members to that House to support the hon. Member's measure. He could not see on what principle of justice or utility any one could support a proposition that went to the subversion of an interest so bound up with the security of the State and the prosperity of the country as the landed interest. To that interest, at which such a vital blow was now aimed, he contended—and he hoped he expressed the opinions of a majority of that House, as he certainly expressed the opinions of great and influential sections of the community—protection should be extended. It was no difficult matter to foresee the ruin and general discontent that would follow any plan that would strip the agricultural interests of that support hitherto extended to them, and so eminently due to them. The country wanted no change—they did not call for the remedies of the hon. Member—they were satisfied with the law as it stood—and they were determined to uphold it. Whatever might have been the feelings among the agriculturists on the subject of Corn-laws, they were now unanimous against change. Their eyes were now open; and they clearly saw that what was proposed as a fixed duty was no duty at all—that it was another name for free trade. If corn reached a price that would be called the remunerating price, they knew that the ports would be thrown open by order of Council. When the hon. Gentleman spoke of the justice of giving cheap bread to the manufacturing labourer, did he forget the justice of giving employment and sustenance to the agricultural labourer? Did he think that no interest was to be consulted but that of the manufacturers in large towns? Was the landlord to be stripped of his rents, the farmer of his profits, and the labourer of his wages and his comforts, to support the theories of the hon. member for Middlesex? It was stated, and with as much solemnity as if it were a truth, that now the time had arrived for making a beginning of the experiment; that it could be done safely now when the price of corn was low. But he denied, that any change could now be with safety made. Once begin innovation, and where would it end? The agricultural interest was confessedly in embarrassment; and was such the season for making an experiment to embarrass it the more? But the hon. Member was strangely inconsistent; and the vacillation of his plans was some evidence of the danger of his doctrines. One would expect that, on a question of such vital importance, there would have been some fixed scale laid down. But that was not the case. Last year he had his plan of 15*s*. duty. Well, did he stick to that? Now, this year, he proposed 10*s*. There was besides a third plan of 2*s*. 6*d*. When he saw those shifting remedies proposed—when he saw the advocates of free trade in corn differing, not only from one another, but from themselves—he could not help thinking, that the House should receive their projects with caution, as he was sure the country would with distrust. He would just notice another observation, merely to mark his total dissent from it, as one that had neither reason nor probability to justify it; namely, that an alteration would not lower the price of corn. He could not suppose that if advantages were to result from the proposed scheme to the agricultural interests, such as were implied in that declaration, that it would excite dissatisfaction. But he would rather judge from facts than assertions. The landed interest felt a conviction—and in that conviction he (Mr. Heathcote) joined,—that the measure of the hon. Member would come upon it fraught with ruin. The measure, as an experiment, was a bad one; for he was sure that in the present state of depression the agricultural interest could not bear it. It was argued again, that it was a question between the landlord and tenant; that it was merely a consideration how much of his rent the landlord should resign for the public good. He (Mr. Heathcote) denied, that it should be considered in any other light than as a question involving the whole landed interest. Was not property in land to be attended to as much as any other property? And it could not be desirable surely to sacrifice it. It was not the great landed proprietors alone whose interests were concerned. The question would most deeply injure the small proprietors.. There were thousands of these throughout the country; and if the Corn-laws were altered, they would be sunk from the rank of proprietors into the condition of farmers, while the farmers would descend to the level of cottagers. The House should consider the situation of that class; and he would ask, was it wise or just to strip them of their property and their position in society? The House should consider too that other interests were protected; and why, he would ask, should not the agricultural interest as well? The woollen interest was protected, the cotton interest was protected, the shipping interest was protected—all were protected; and was the landed interest the only one that should be left undefended? The shipping interest were petitioning for protection, and they only desired to be let alone. So did the agriculturists say, they only wanted to be let alone.

Lord *Morpeth* would not attempt to follow his right hon. friend in the manifold details of his speech—a speech distinguished by his usual eloquence, heightened by the introduction of topics which were congenial to his own feelings, as they appeared to be to those of his audience. But he would take that opportunity of expressing his determination to support the proposition of the hon. member for Middlesex. Ever since he could think on any public question, he was an advocate for free trade in corn, and rendering bread cheap to the industrious poor. When he first had the honour of a seat in that House, as the representative of a borough favourable to liberal principles—when liberal principles were not common—he was one of sixteen who divided with the hon. Member in support of such a proposition as he now advocated. Those principles were at that time considered vulgar; but he considered they were just, when their object was to render bread cheap. If he were actuated by selfish views, he should perhaps have taken another course. His pecuniary interest was in favour of the superiority of the landed interest. He resided among a numerous body of agriculturists, who were deeply distressed; but he must deal justly by all. He was not sent to that House as the advocate of the manufacturing classes, but to support the interests of the entire community. He could not refuse his assent to the demonstration, that the more liberal and free the trade in corn, the more would the general prosperity be promoted. The same principle would apply to corn as to other articles. Men must pay for all articles, and the more they paid for one, the less could they spare for the others. His right hon. friend had stated, that the present measure would disturb many interests, and create agricultural distress. Those might be good topics for declamation; but they were bad reasons for cheating the nation, which would be the case if it were forced to buy articles dearer in one place than it could get them in another. He could not see why any objection should be made to take the whole question into consideration now, in order that a due allowance might be made for the various interests of all, and a fair adjustment entered into. It might be said, that at the present period of general agricultural distress, acknowledged in the Speech from the Throne, it would be harsh to adopt measures which would increase that distress. He should be sorry to increase it; but he contended that permanent injury would not result to the agriculturist by the proposed measure. Those who called themselves the friends of the agricultural interest, cried out "Oh, do not withdraw from us our present protection; if we are distressed, let not others grow sleek and fat." The greatest grievance would be sudden and violent change; and the only prospect of a permanent and useful settlement would be to introduce a measure on the basis of justice to all. The shock and suddenness of the change that must ultimately take place, if the present system were upheld, would be rendered harmless by acceding to the Motion before the House. The time was now come for the landlord to strike his bargain, when wheat was so low as forty-eight shillings. But let him hold out; and he might be forced to strike under more inauspicious circumstances. His right hon. friend had said, that, in the manufacturing districts, there was full employment, and therefore the measure was uncalled for, and on that ground invoked the aid of the member for Oldham. But if that were so, the agriculturists must suffer less, for manufacturing employment would absorb a great portion of the unemployed agricultural population, and the agricultural labourers would find that refuge in manufacturing employment which they could not now find under the chilling wing of protection. His right hon. friend had thrown severe sarcasms out against the hon. member for Middlesex, for saying this was a European question. But they did not call on the House so to decide it; they called on the House to decide on it as an English question. But if the question combined European with English welfare, then philanthropy required of the House to support it. He was always an advocate for free trade in general; and he thought it absurd for some of the advocates of free trade to allow it in all other articles, and refuse it in corn. It was the duty of the House to give all aid to domestic labour; and not impose additional burthens upon the people from a wish to yield to any partialities of the Government. One argument advanced on the other side was, that the interests of manufacture were concerned in preserving the interests of agriculture, and that both were interwoven with each other. But it was commonly the case, that when one person wished to wrong another, he said that the interests of both were identical. He (Lord Morpeth) did not deny that the interests of the agriculturists and the manufacturers might be made to harmonize; there were certain inalienable links to bind them all, if the great interests of the nation were consulted. A relaxation of the Corn-laws would be a vast relief to all the industrious classes; and would their comforts and content be no benefit to the country? To those whose wages were brought so low as barely to enable them to procure the common necessaries of life, could it be said, that a reduction in the price of bread was not an object of vital importance? The advocates of the present system maintained that privileges were due to the agricultural body; that it was the most ancient and respectable; and their property was most secure and least liable to fluctuation; that the agriculturists were the most loyal and peaceable subjects—the props and boast of the country; and, for these reasons, that the ascendancy of that body should be upheld. All that it would be well to say, if England were an agricultural nation, and no choice left but to allow agriculture its supremacy. It would be well to say so for the vale of Tempe—not burthened with a national debt. But when the English nation chose to wage long and expensive wars, and rule over large dominions—when she called forth the manufacturing energy and skill of her people to her aid—and when her manufactures became the great source of her wealth and her power—the Parliament was bound not to disregard that manufacturing interest. It might sound very prettily to cite the example of the tenant of a tenement on the banks of the lazy Scheldt, or the inhabitant of a superb villa on the Brenta, upholding and enforcing a restrictive policy on the commerce of Venice or Amsterdam; but Great Britain could not afford to stickle for an Arcadian system, with a debt of 800,000,000*l*. to provide for yearly. With his cordial good wishes, he should conclude by expressing his intention to vote with the hon. member for Middlesex.

Mr. *Clay:* Sir, I do not purpose, in the few observations with which I am about to trouble the House, to take any very extended or general view of the wide field of argument which presents itself to the mind of any man coming to the decision of the all-important question now before the House; neither do I purpose to notice all the reasons which have been adduced by the various hon. Gentlemen who have addressed the House in opposition to the Motion of my hon. friend. I shall confine myself to a commentary upon some of the leading propositions which have been brought forward by the right. hon. Baronet; partly because every thing that fell from that right hon. Gentleman must have great weight with the House; and partly because all the propositions to which I refer, are, I think, those chiefly relied on elsewhere by the opponents of any alteration of our present system of Corn-laws. I feel that it is an arduous task to attempt to reply to the speech of the right hon. Baronet; but I am emboldened so to do, because I thought that I discovered in that speech—much as it seemed to meet the approbation of a large portion of the House—fallacies a thousand times refuted, and which the happy elocution and clear and perspicuous language with which the right hon. Gentleman invests every argument he employs, only seemed to render more conspicuous. The first point I shall notice is the connexion of the question of the Corn-laws with that of the currency. I deny most distinctly that it has any such connexion. I deny that the return to cash payments—the measure of 1819—is the cause of the present low prices of agricultural produce. It could only have been so by contracting the circulating medium. I deny that it contracted it. I assert, that the currency is now larger, greatly larger, than before the return to a metallic standard; that it is very greatly larger than during the range of high prices of corn from 1809 to 1814, and probably double what it was in 1800 and 1801, when wheat reached the highest price it ever attained in this country; and that the Bill of 1819 cannot, therefore, be the cause of the fall of the price of agricultural produce. But supposing that I am completely mistaken in this supposition—supposing that the measure of 1819 has occasioned the present low prices of agricultural produce—what justification would that circumstance afford for legislating to secure high prices for agricultural produce alone? It might be as good reason for those to use who seek to depreciate the standard, or return to a paper currency, because then the rise of prices would be general. But it is no argument at all for laws which enhance the price of the articles furnished by one class of the community alone, in order to enable them the better to bear the burthen of taxation, while that burthen falls with unmitigated pressure upon all the other classes, the produce of whose industry receives no such legislative support. But it is not only that the Corn-laws increase the price of agricultural produce, leaving all other commodities at their natural level, they positively and distinctly tend to lower the prices of all those articles of our manufacture of which we export any portion. This assertion may seem strange to hon. Gentlemen, but it is capable of proof amounting to the strictest demonstration. No axiom is more completely established in commercial science, none more universally by commercial men, than this—of whatever commodities you export your surplus, the price which that surplus obtains in foreign markets regulates the price of the whole. Now, it is certain that our Corn-laws, by depriving the growers of corn on the continent of what would be the best market, lower for the continental manufacturer the cost of the necessaries of life, and thus enable him to come into his own market on lower terms, as compared with the English manufacturer, than would otherwise be the case; but the English manufacturer must face this price,—it is the price at which alone he can compete with his foreign rival; the price, therefore, which we can obtain for the surplus of the manufactured goods which we send to foreign markets is lowered by the effect of our Corn-laws, whilst they enhance the cost at which such articles are produced. Is it not monstrous, under these circumstances, to legislate to give high prices to the agricultural classes, that they may escape the taxation which is borne by the community at large? Would it not be as reasonable to ask for a tax from the community at large, to repay to the agricultural classes the whole of the taxes which they furnish to the State? Such, in fact, is the present and direct operation of the Corn-laws. But again, Sir:—from what source do hon. Gentlemen suppose that taxation either is now or ever can be drawn? Are they not aware, that it never can be drawn from any other source than that portion of the produce of capital and labour which remains after defraying the cost of subsistence of the labourer, and replacing the fund of the capitalist. Now, under what circumstances does the House think that this portion, this surplus, will be the largest?—When the necessaries of life are dear, or when they are cheap?—When the articles produced by the industry of the country are furnished at little cost or at much? I really feel it quite unnecessary to push the argument further, or to give any other reply to the often-repeated fallacy, that the Corn-laws are justifiable to protect the agricultural interests, and that they enable the whole community to bear the burthen of taxation more easily. [*" Question, question!"*] He was anxious (the hon. Member continued) not unnecessarily to detain the House, and he was not in the habit of troubling them with long speeches. He hoped, therefore, that he should not be interrupted. The question before them was one of the greatest consequence to the interests of England; and it would be disgraceful if it did not meet with the attention from the House which it deserved. The right hon. Baronet, the member for Tamworth, had, on a former evening warned the House against having the appearance of legislating for their own benefit, and not for that of the community. He (Mr. Clay) would ask the right hon. Baronet and the House, if the Corn-laws were not exactly a measure of that nature? Was it possible that the great body of the community should be free from suspicion, when they saw that the principles of free trade were advocated in reference to every branch of domestic industry with the exception alone of the necessaries of life? Could the industrious classes be satisfied to hear the necessity of high prices, of protection, and monopoly advocated, as regarded the necessaries of life, while the advantages of free trade and competition were lauded in regard to the production of all other commodities? His opinion was, that no act of greater injustice was ever committed by any legislature than was committed by the English Legislature, when it commenced acting upon the system of free trade with every other interest, before applying its principles to the trade in corn. What the Legislature ought to have done was, to say to the merchant and manufacturer of this country, "Against the competition of the world we cannot and will not protect you, but you shall have the necessaries of life on such terms as will enable you to endure it." Such was not the course pursued by this House; in which he need not say, that the advocates of the landed interest had hitherto been, as at present—all-powerful; and he much feared that, in the estimation of their fellow-countrymen, the conduct of the proprietors of land might have rendered them obnoxious to the condemnation so solemnly pronounced on those "who lay heavy burthens upon men's shoulders, grievous to be borne, and will not touch them themselves so much as with a finger." Was the argument of necessity successful, when other interests, not those of the agriculturists, were at stake? When the Navigation-laws were altered, and the meritorious class of persons engaged in shipping almost entirely ruined—when measures were mooted concerning our colonies, which risked the ruin of the West-India body—were the interests of those particular classes put in opposition to the general wish of the nation? No. They were left to their fate, and while they taxed the timber used to build ships, and taxed the food and clothing necessary for the sailors, they left the proprietors without protection from foreign competition. The late Mr. Huskisson was alluded to by the right hon. Baronet, as supporting his views; but he confessed his doubts whether the sentiments of that great man were precisely such as they might be supposed from the extracts read by the right hon. Baronet. He had reason to believe that when Mr. Huskisson was remonstrated with for not commencing his system of free trade by applying it to the trade in corn, he said, "I admit the great injustice we commit; I admit that we ought to begin with having a free trade in the necessaries of life; but what can I do? I could never persuade Parliament to adopt such a course." But, unjust as these laws were, they were yet more impolitic. The right hon. Baronet—indeed, every Gentleman who had spoken—allowed that the landed interest owed much to commerce; but he must respectfully say, that the right hon. Baronet was far from giving to this consideration the weight which it deserved. What was it rendered the situation of an English landlord so much more enviable than that of any other? How was it that the English gentlemen in possession of 2,000 or 3,000 acres of the soil of Britain, was able to compete in expense with the ancient and high nobles of other countries, owning ten times the quantity of the earth's surface? What made our nobility the admiration as well as the envy of foreign nations on account of their wealth? It was to the manufacturers of the country that they owed all; for the manufacturers doubled, tripled, and even quadrupled the value of lands in England. And not only was it in our manufacturing districts that this increase had taken place. In the agricultural districts too a proportional increase had taken place. Additional capital was invested in land, improvements were made, and cultivation was brought to a height unknown before, and all owing to the increase of our manufactures. The people of England had suffered much, and they had heavy burthens; but still they had capital, industry, energy, and intelligence. These qualities would stand by them in the midst of their difficulties, and in the long run they would certainly triumph. But he would ask any Gentleman who had read the report of the Committee last Session on Commerce and Manufactures, whether it did not appear from the evidence given in it, that notwithstanding all our capital and other advantages, our manufacturing superiority was trembling in the balance, and was threatened with early destruction? In America, in France, on the banks of the Rhine, in Switzerland, and in Prussia, formidable rivals had sprung up to our manufactures. He ventured to warn the aristocracy and landlords against the system they were at present pursuing. The imminent danger to which the capitalist was exposed might drive him to countries where he would be better appreciated, and the consequence would be, that the landowners would be left to provide for a starving unemployed population which would be left on their hands. It was idle to say, that if so many unemployed persons were left, they could be removed. They were bound to the country, and their condition must rise or fall with it. The right hon. Baronet had brought forward as an argument against the free trade in corn, that we should not be too dependent on the Continent for a supply, because, in case of war, the ports of the Continent might be shut against us. There never was a greater fallacy. The greatest despot that ever lived could not act entirely against the feelings and the interests of the people over whom he domineered. Even Napoleon found how impossible it was to stop the intercourse of the Continent against us, and no more puny tyrant would ever succeed in closing the ports of Europe against England, when it was the interest of the people of Europe to keep them open. The right hon. Baronet had talked of the number of agricultural labourers that would be thrown out of employment were there to be any reduction of prices. This appeared to him (Mr. Clay) a rather extraordinary statement, especially as coming from the right hon. Baronet, when the Committee of which he was Chairman, on this subject, had expressed their conviction that the comfort of the agricultural labourer would rise with the fall of prices. He could not understand by what logical process the right hon. Baronet had arrived at the conclusion, that a trifling fall in the price of corn would plunge the agricultural interest into such deep distress as he had supposed. He thought he saw distinctly the evils which would necessarily follow should the landed Gentlemen in that House be so ill-advised as to raise their powerful voice against the partial Repeal of the Corn-laws. One certain calamity which would result from the refusal of the reasonable demands of the people on this subject would be, that their demands would rise with such refusal. They would hereafter demand, in a much louder tone, the entire abolition of those laws. It had been said that the present was not a proper or convenient time for repealing the Corn-laws. He entertained a quite different opinion. There could not be a more favourable moment for the purpose. He repeated that the demands of the people of this country would rise with the refusal. It had been so invariably, as regarded all the questions of great interest which had, in the past history of England, occupied the minds of the nation. He could refer, as illustrations of the fact, to the progress which the question of Catholic Emancipation, and that of Reform, made in the public mind on every successive rejection of those great measures by the Legislature. The eventual consequence, he was afraid, of refusing to repeal the Corn-laws, would be the overthrow of those institutions of the country in which the landed Gentlemen were most deeply interested. These gentlemen had a most important game to play—let them play it wisely.

Mr. *Edward Buller* said, that though

he was dependent upon the soil, he took a different view of the question from that entertained by most hon. Members similarly circumstanced. He trusted, however, that he should have the credit of acting with sincerity. To those who differed from him in opinion he willingly conceded the same feeling, and he was bound to say, that he wholly disbelieved the charge so frequently made against the landed proprietors, namely, that they consulted their own interest in preference to that of the public. In considering the question, he would narrow the ground as much as possible. He would at once put aside the whole question of foreign trade. He was not ignorant that in adhering to a system of monopoly they were risking the trade of Russia, Prussia, and Germany; but he would leave that topic to be handled by abler hands, and would confine himself more to the domestic view of the question. With respect to agricultural distress he knew that last year rents were well paid, and, looking at this fact, he could not admit that agricultural distress was so overwhelming as it was represented; nor could he admit that less capital was laid out on the improvement of the soil, and he maintained, that its productiveness was not impaired. He contended, that the Corn-laws had not effected the objects for which they had been adopted. One of those objects was to produce constant high prices; but that it had not been effected was quite clear from the Returns. The hon. Member quoted the prices at different periods to show the variation. In 1817 the average price had been 94*s.* per quarter; in 1823 it was 43*s.*; in 1830 it was 66*s.* 4*d.*; and now it was 48*s.* Another object of the Corn-laws was to render the country independent of a foreign supply. That they had not effected that object was perfectly clear. It was a statistical fact that at the present moment we were actually dependent on foreign nations for one-twelfth of our supply of corn. Now, if there was one law of nature which might be called universal, it was this—that man was dependent on his fellow-man, and nation upon nation. Without the admission of foreign corn, it was impossible to support the population of the country. The harvests were so fluctuating, and the produce of one year compared with another so uncertain, that it was necessary to fall back on the resources which the Continent afforded us. One year, perhaps, might give us a good harvest, and there might be a surplus of corn produced over that consumed; the next, the consumption might fall short one-sixth of the demand; we might have seven years of plenty, and then seven years of famine. There was one remarkable fact which was well worthy of attention. The measures of the Legislature had even produced a different effect as to price to that which had been intended. In 1618, an Act was passed in order to raise the price, and yet under that Act the price continued to fall till 1723. In 1763 came the peace of Paris, and that effected a change which the Legislature had failed to accomplish. It caused a rise in price; and it did so because it found a vent for British commerce. In 1764 the price was 47*s.* 10*d.* per quarter; and in 1792 it was 50*s.* 2*d.* He was sure that the causes of fluctuation were aggravated by the interference of the Legislature. Under the present system the home-grower turned his attention solely to the state of the foreign trade, and looked to that for his remuneration by high prices. He, however, must say, that the Corn-laws had not yet had a sufficient trial. The immense exports from Ireland ought to be taken into consideration. Very little corn was grown in the north of Europe at all. It was impossible to bring corn into England under 45*s.* or 46*s.*, and under these circumstances he did not think there was any very great danger of our being excluded from foreign commerce. The fluctuations of prices had been most injurious to the agricultural interest. He was sorry that the high sense of honour formerly entertained by the British farmer, and the pride of not being behindhand with his rent, one day, was fast wearing out.

Mr. Ewart moved the adjournment of the question.

The question was accordingly adjourned.

SPIRIT LICENCES (SCOTLAND).] Mr. *Gillon* said, that in moving for leave to bring in a Bill for the better regulating the granting of certificates to retail ale, spirits, wine, &c., in Scotland, as he did not expect he would be opposed in this preliminary step, he would not detain the House by going at any length into the subject, but would very briefly advert to the changes which he proposed to effect. His object was to make the machinery less cumberous, and he hoped more satisfactory to all parties concerned than at present.—1st. As to the jurisdiction; this he proposed in counties to transfer from the Justices of the Peace to the Sheriff, and he did so, because he conceived that the power of granting licenses, instead of resting with an unpaid and irresponsible magistracy, liable to be influenced by local prejudices, should be vested in a paid and responsible officer, who was besides at the head of the police of the county, and responsible for the peace of the district. Had the old system of self-election continued in the Royal burghs, he should certainly have proposed to transfer their jurisdiction also to the Sheriff; but seeing that those Magistrates were now popularly elected, that the control of public opinion was a guarantee that they would not abuse the power reposed in them, and that they had the best means of judging of the qualification of applicants, besides being responsible for the good order of their several burghs, he was disposed to allow the power of granting certificates to remain in their hands. He would introduce a clause conferring a similar jurisdiction on the Magistrates of parliamentary burghs. Having thus fixed the jurisdiction, he meant to curtail considerably the discretionary power of the Magistrate, and to bind him by fixed rules contained in the Bill, and to simplify the operation very much by dispensing with the annual application for renewal of licences on the part of those who formerly held them, and had conducted themselves with propriety. Some suggestions had been made to him as to separating ale from spirit licences, making the one cheaper than the other. This and some others did not fall within his original intention; and he did not propose to embody them in the first draft of the Bill; but they could easily be incorporated with it in Committee, should it be permitted to reach that stage. Since he had given notice of his intention to bring in such a Bill, he had received various communications from persons engaged in the retail trade complaining of the grievances under which they laboured, and suggestions similar to those he proposed. He would only now add, that he would give ample time for the consideration of the subject, and would be disposed to consult the convenience of hon. Members as to the future stages of the Bill.

Mr. *Robert Wallace* would support the introduction of the Bill he had the honour to second, being well assured of some decisive step being absolutely necessary for removing the power of granting licences from the hands of the local Magistracy. No man who had witnessed the facts which were of very frequent occurrence in Scotland, would for one moment doubt, far less deny, that licences were very frequently granted, and still more often refused, on grounds altogether unjustifiable. That partiality and favour existed, with some little vindictiveness, was well known to all. Men, now-a-days, though humble of station, would not descend to curry favour and act the subservient to neighbouring Justices, or might, perhaps, be suspected of poaching or the like; and, in such cases, a refusal of licence was a certain consequence. In the county he acted in as a Magistrate, he had often seen instances of great hardship and oppression, and had often successfully opposed its exercise in the Justice of Peace Courts. He would by no means promise to support all the details of the Bill to be introduced. What he contended for was, that leave be granted to bring it in, and thereby find circulation all over Scotland, where the grievances complained of were deeply felt, whatever hon. Members might say to the contrary. The usual time for the great annual meeting of local Magistrates, and the landed interest generally, was near at hand. Scotch Members knew well that, on the 30th of April, such a measure as this would receive consideration and discussion all over Scotland by one class, while the more humble would take their own time and ways of expressing their opinion of it. He was convinced of any change being better than the present system, and therefore would cheerfully support the Motion for bringing in the Bill.

Mr. *Robert Steuart* conceived the hon. member for Falkirk's Motion was contrary to correct principle, and, however reluctant he was to oppose a Motion for leave to bring in a Bill, he should certainly oppose this. The hon. Member had made out no case whatever to justify the House in interfering with an established system.

Mr. *Hope Johnstone* admitted, that the system required alteration, but did not approve of the hon. Member's Motion. It implied, that the Magistrates had abused their power, which he did not believe, and he, therefore, could not give his consent to the introduction of the proposed Bill. He was not prepared to pass a sweeping censure on the Magistrates of Scotland, and therefore he opposed even the introduction of the Bill.

Sir *William Rae* knew of no facts which could warrant a suspicion that the Magistrates of Scotland had behaved improperly; and he would, though on general principles averse from opposing the introduction of a Bill, oppose this, because it cast a slur upon the Magistrates.

Mr. *Hume* said, it was a mistake to suppose that the Bill cast a slur upon the Scotch Magistrates, it only reformed an improper and corrupt system.

Mr. *Cumming Bruce* was convinced, that the Magistrates acted already under responsibility, and he knew of no instance in which their power had been improperly exercised. He would oppose the Motion.

General *Sharpe*, in opposing the proposed measure, begged leave to say, that he was guided by convictions founded on experience—not of yesterday—and cared nothing whatever as to what was alleged touching slurs cast on the character of the Magistracy. Whatever might be the imperfections of the present system, he conceived that matters, so far from being mended, would be made far worse, were certain theoretical plans adopted. It seemed to be quite certain that, excepting where they resided in his own immediate neighbourhood, the Sheriff could know nothing of the characters of the applicants for licences; in such circumstances he would naturally enough apply for information to the neighbouring Magistrates; and, acting on the information of these Magistrates, would at once decide a question which, as it now stood, was competent to be appealed to a fuller court. He was, by the way, somewhat surprised to hear the hon. member for Middlesex lecturing his friend for assuming, as he termed it, that the law in England had been altered. Why, the hon. Member was himself totally in error, and had confounded the ale and spirit licences, the latter of which were granted in Special Sessions, which were precisely similar to the Scotch Courts. As to the argument of the hon. member for Greenock, his humble opinion was, that it was the very best argument that could be used in favour of the Courts as they stood, and he would resist any change, unless upon much stronger grounds. If the system be wrong, ask for a general revision in both countries; and, on this ground, he objected to those partial alterations, where approximation in legislation was particularly desirable.

The House divided: Ayes 22; Noes 55—Majority 33.

List of the AYES.

Aglionby, H. A.
Blake, M. J.
Blandford, Marq. of
Brotherton, J.
Buckingham, J. S.
Evans, Colonel
Gisborne, T.
Hawes, B.
Hume, J.
Jervis, J.
Lloyd, J. H.
O'Connell, M.
O'Connor, F.
O'Dwyer, A. C.
Philips, M.
Potter, R.
Ruthven, E. S.
Talbot, J. H.
Tancred, W. H.
Walker, C. A.
Warburton, H.
Wason, R.

TELLERS.

Gillon, W. D.
Wallace, R.

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HOUSE OF LORDS,
Friday, March 7, 1834.

MINUTES.] Petitions presented. By Lord DACRE, from Aptwell, for Relief to the Agricultural Interest.—By the Marquess of LANSDOWNE, the Earls of DURHAM, RIPON, and SEFTON, and by Lord DACRE, from several Places,—for Relief to the Dissenters.—By the Bishop of LICHFIELD and COVENTRY, from several Places, for the Better Observance of the Sabbath; also for Protection to the Established Church; and by Lord KENYON, from Cannock, to the same effect.

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HOUSE OF COMMONS,
Friday, March 7, 1834.

MINUTES.] Bill. Read a third time:—Marine Mutiny.
Petitions presented. By Mr. SPRING RICE, from the Licentiate Apothecaries of Ireland, for the Repeal of the Apothecaries Act.—By Mr. FEARGUS O'CONNOR, and by Mr. SHIEL, from several Places in Ireland,—for the Repeal of the Union.—By Mr. G. HARCOURT, from Henley, for the Repeal of the Malt Tax.—By Mr. DASHWOOD, from Great Missenden, for the Amendment of the Poor Laws.—By General SHARPE, from the Hand Loom Weavers of Sanquhar, for Relief.—By Messrs. SHIEL, R. WALLACE, FEARGUS O'CONNOR, and DOBBIN, from several Places in Ireland,—against the Tithe System.—By Lord HENNIKER, from Suffolk, for Relief to the Agricultural Interest.—By Sir ANDREW AGNEW, Lord CAVENDISH, and Mr. MILES, from several Places,—for the Better Observance of the Sabbath.—By Lord CAVENDISH, Lord DUDLEY STUART, Sir EDWARD CODRINGTON, Colonel G. LANGTON, Messrs. TODD, POTTER, SHIEL, MOSTYN, DASHWOOD, SHAWE, and E. J. STANLEY, from a Number of Places,—for Relief to the Dissenters.

CORN LAWS—ADJOURNED DEBATE.] The Order of the Day for resuming the Adjourned Debate on Mr. Hume's Motion was read.

Mr. *Ewart* confessed that nothing surprised him more than to hear hon. Members last night call upon the House to set this question at once and for ever at rest by voting against the Motion of the hon. member for Middlesex. Now, he was convinced, that if there was any one mode less calculated than another to set this vital and important question at rest, it was that which they recommended. He could assure the House that there was no mode of getting rid of this question but by listening to the claims of justice, and granting to the people their just demands. He had heard with some astonishment the eloquent speeches of the right hon. Baronet (Sir Jas. Graham) and the other Gentlemen who had taken his views upon the subject, when they insisted that the agricultural interest was the foundation of the entire national prosperity, and that upon which the welfare of the country mainly depended. He did not expect to hear that exploded doctrine of the French economists revived at the present time. It was true, that our trade flourished best when our agriculture was also in a prosperous state; but this formed no ground for an exclusive protection. Let them extend the principle of trade; let them give every facility to our traffic with foreign nations; let them extend their power of exchanging goods to an unlimited extent with all the nations of the world; and then they would find that all branches of our productive industry would be in a prosperous and a thriving state. It had often been repeated by the right hon. Baronet, in his speech of last night, that the great vent for the consumption of our manufactures was the home market; that that market far surpassed the demands of the foreign market; and that it was generally looked upon as synonymous with the agricultural interest. He would like to find who it was that caused this great home consumption, seeing that two-thirds of our trade and manufactures found a market abroad, notwithstanding all the efforts of these great home consumers. Besides, it was so far from true that our trades and manufactures depended mainly on a home consumption, and that our foreign commerce was small, that it had increased to a prodigious extent; and if they were wise, they would make use of every means in their power to increase it. He would take, for instance, the cotton trade, two-thirds of which was made up for exportation. Thus the greatest consumer of this article was the foreigner; and so it would be found, upon inquiry, with regard to many other articles of our leading manufactures. It was stated by the right hon. Baronet, that it appeared before the Agricultural Committee of last Session, that all the interests of the country were in a flourishing state, with the exception of the agriculturists; and the right hon. Baronet asked, "Why should we aim a blow at the only suffering interest, and interfere in a manner that might be dangerous to its safety?" The answer was, the supporters of an alteration in the existing system of Corn-laws interfered because they thought the agricultural interest stood on an unsound foundation. It appeared, from the evidence taken before the Committee, that the great evil of agriculture consisted in the uncertainty which grew out of the present system. It was necessary, therefore, for the sake of the agriculturists themselves, that the question should be decided and fixed upon a firm and permanent basis. The right hon. Baronet remarked, that the hon. member for Middlesex, in his enumeration of the burthens upon the landed interest, had omitted the Land-tax, one great grievance under which the agricultural interest laboured. He did not expect to hear this circumstance stated by the right hon. Baronet; for if there were anything in which the landed interest had been especially benefited of late years, it consisted in the relief which it received with respect to the Land-tax from the growing demands of commerce. He remembered, when he heard that observation, that Adam Smith said: "How much more oppressive would not the Land-tax be, if it were not for our increase of trade and manufactures. But, by the rise in trade, the landlords gained the difference which the rise caused by an increased demand for their produce had occasioned. The right hon. Baronet referred to the year 1765 to prove the little advantage resulting to this country from a free trade in corn; but that did not now apply, as commerce was more extended, and the prices would be more equal. They were told that, if this question were carried, it would be impossible to maintain that evenness of prices which had existed for the last few years. Now, he believed that those who would take the trouble to inquire would find that there had been fluctuations within that period to a considerable extent. Again, they were reminded of the great danger which would arise to the country from the want of a supply in the event of a war; but of what use were such arguments as this? How much better would it not be to knit ourselves in with other nations, to unite with them in commercial and trading intercourse, by which such supply could always be commanded? We seemed to be actuated by what Mr. Pitt called those diabolical principles, which supposed that nations were natural enemies, and recommended always taking precautions against suspected war. Let them look to America: with that country the strongest bonds of peace and union, founded on commercial intercourse, existed. It was true that we might confine ourselves, as to the article of raw cotton, to our East and West India possessions; but it was wiser and more prudent to keep open our intercourse with America with respect to this article (although there might be a war), and to carry on our exchange of the manufactured for the raw produce. This was far better, far more politic, than to have recourse to such secondhand means of doing business. The supporters of this Motion were anxious to place our agricultural interests upon a firm and secure footing, by which it would be enabled to develope all its energies, and shake off the pressure under which it at present laboured. By doing this they would place the land in a state of permanent security; but the first step must be an entire alteration of the present system. He remembered that, in one of the famous speeches of Lord Chatham on the American war, his Lordship called upon the Lords to consider to what it was that their estates were indebted for their increased value. It was all entirely owing, he observed, to the vast increase of trade and commerce between this country and America. This he (Mr. Ewart) felt to be a striking truth, and he had often wondered that a similar thought had not arisen in the minds of the agriculturists of the present day, particularly as they were so much more enlightened and better informed on these subjects at present than they were at that period. One most observable effect of the increase of our commerce, trade, and manufactures, was the manner in which prices were equalized throughout the country. It was the duty of this country to provide employment for all its subjects, and to procure returns for its exports. That would be the best check to the foreign market,—not that he would, as a general principle, oppose the foreign market; but he advocated this doctrine with a view to encourage and promote our own industry. If any one thing more than another could give a benefit to our shipping interest, it would be, to give facility for getting returns from foreign countries in such of our ships as conveyed to them the produce of our manufactures. Such a course of dealing would prove of the utmost importance to our commercial and manufacturing interest, to whom justice should not be denied; and the chief means of rendering them justice would be, to give them food at as cheap a rate as our continental neighbours were able to obtain it. Unless food was cheap, it would be impossible for us to exchange commodities with the natural customers of this country. The hon. Member referred to the opinions given before a Committee of this House, by Mr. Lloyd and Mr. Gurney, which went to show, that this country was suffering from a redundancy of capital, which redundancy could only be relieved by a system of free trade. Capital should be freely allowed to get vent in a time of peace, and especially so when prices were low. As nations became politically free, and formed sound opinions upon their own welfare, it would be almost invariably found that they would have recourse to a system of free trade,—indeed as nations advanced in civilization that would invariably give the labouring classes a greater power for enforcing their just claims. In the United States of America this doctrine was particularly exemplified; for there the unjust claims of the superior classes were successfully resisted. Those just claims should be attended to in time, lest the labouring and oppressed classes, urged forward by an unjust resistance on the part of the agricultural interest, should (which God forbid!) assume an attitude calculated to bring matters to an awful and perilous crisis. Not only were the sentiments of the community naturally most favourable, in a free state, to freedom of trade, but every increase of intercourse made them more disposed towards it. They had only to look to the extensive combinations which had taken place in various parts of the country, and to consider of their many great facilities of intercommunication, to be convinced of the fact. He was fully convinced that this question, if not settled according to the dictates of justice, would soon become the cardinal question of the country; and he could not resist the opportunity of warning the superior classes against any decisions of the Legislature calculated to excite irritated and dangerous feelings. It was with regret that he had heard the right hon. Baronet, who led the Opposition to the Motion, justify his views by confessing a predilection for the landed aristocracy, or that such considerations should have any weight in influencing his resistance; for, he was sorry to say, the pre-eminency of the landed aristocracy was already too great. And he felt it to be his duty to say that, if any fatal mark characterized the present times, it was a pampering of the landed aristocracy at the cost of a pauperized and uneducated people. He would maintain, that the best course to be pursued would be gradually to unshackle the chains of the people, and that the first step would be to withdraw all restrictions upon the food of the people. Without wishing to draw any invidious comparisons with the interests of the landed aristocracy, as advocated by the right hon. Baronet, he must without hesitation declare that the commercial and manufacturing interests of the country were not treated fairly, or in any way done justice to. It was for foreign nations to show us first the immense and permanent importance of our manufacturing improvements. It was not until M. Dupin first visited this country, and called the attention of France and Europe to the manufacturing resources of England, that we awoke from our lethargy, and began to find out that they were objects worthy of our most serious attention. It was Dupin who first told England the full extent of her manufacturing discoveries; and also that we neglected to raise any national memorial to the man who made them—a man whom the ancient governments would have delighted to honour by statues and inscriptions in every quarter of their dominions. When he heard the descendants of the landed aristocracy so strenuous against those in trade and commerce, it was quite legitimate for him to put in a word for one among the many of those great men to whom the present wealth of England, and her superiority in all the arts of life, were owing. He deprecated, in the advocacy of the interests of those classes, however, all intention of establishing them on the injury of any other class. He wished equally well to all, and simply desired to see them on a fair and equitable footing. He claimed for them no superiority, and he would not willingly allow any to others. He would conclude by reminding the House of the words of the French political economist, Garnier, "that everything which interferes with the natural price of commodities is a national misfortune." On these grounds he established his claim for the interference of the Legislature. The present Corn-laws were a grievous monopoly, and, as such, should no longer be permitted to exist.

The Earl of *Darlington* would trouble the House with a few brief remarks; but thought it a duty he owed to his constituents, as well as to the landed interest, with which he was connected, to enter his protest against the extraordinary doctrines broached by the hon. member for Middlesex, when proposing his Motion. From the well-known importance of the question before the House, in addition to the fact of his being the Representative of a leading agricultural county, he had given it a great deal of his attention; and he did not hesitate to pledge himself, that not only were the statements of the hon. member for Middlesex erroneous, but the inferences he deduced from them perfectly untenable. He had that day presented a petition on the subject of the distressed condition of the agricultural interest from the county which he had the honour to represent; and, as the statement it contained was one likely to throw considerable light upon the cause of that distress, he begged to recommend it to the serious consideration of the House. It was couched in strong but at the same time very respectful language. The petition, among other things, stated, that the petitioners had now for a long period endured great distress, but they submitted to it with patience, in the hopes that better times would arrive; owing, however, to the great fall in every description of agricultural produce, and the numerous burthens imposed upon them in the shape of poor and other rates, they stated they found it impossible, although living in the greatest state of frugality, to continue as they had done to bring up their families in that station to which they were entitled. Thus, instead of becoming better, according to the promises which had been held out to them, they had become worse. He admitted that great improvement had taken place in the science of agriculture, and, were it not for this improved system of husbandry, the agricultural classes would be even worse off than at present. The Act of 1815 was not, as was said, passed for the benefit of the land-owners alone. It was proposed by the statesmen of that day, not merely as a boon to agriculturists, but as a fair compromise between the contending parties,—the producers and the consumers. It was intended on the one hand to prevent scarcity, and on the other to check that inordinate supply of foreign corn which would be sent over under a free trade in a time of peace. The question really at issue was, whether it was for the general interest of this country to feed its population as far as possible from the produce of its own soil, rather than depend on the precarious supply to be obtained from other countries. At a public meeting which was held in his county, a master manufacturer got up and stated it as his opinion, that it would be better for England if all the land now in tillage should be laid down to grass. To those who partook of such opinions, it was certainly useless to offer any arguments in defence of the Corn-laws. But to those who thought it a matter of good policy, that, at least, a certain supply of corn should be drawn from our own soil, he would say, how was it possible, that the English farmer, burthened as he was, could compete with the farmers of the Continent? All other trades had protection; why should not the agriculturist have it? Surely he was not less deserving of it than others; if anything, he had a stronger claim. In the silk and glove-trade our artisans were considered inferior to those of France; but, in agriculture, we were superior to every country in the world. All that the agriculturists asked for was, a fair field and no favour. On fair and equal terms the English farmers would not shrink from competition with those on the Continent. But with the heavy charges upon the landed interest, such as tithes, the county rate, the Church-rate, the highway rate, and others, together with the necessity for their paying for labour in proportion to the weight of taxation, how was it possible for such fair and equal terms of competition to exist? How was it possible for the landed interest of England, with these burthens, to compete with the foreigner, who had all the advantages in his favour of cheap labour and comparative exemption from taxation. Convinced as he was of the fact, that, in the union of interests between the manufactures and agriculture of this country consisted its commercial importance, and that from that union was derived the strength which had enabled it to compete with the whole world when cast entirely on its own resources, he much regretted to perceive that sort of sordid jealousy which was expressed on the part of the manufacturing and trading interests towards their agricultural brethren—towards those to whom, in fact, they owed their origin and importance. The manufacturers generally lived in large towns, associated together, and took an active part in politics—consequently, whenever their interests were affected, they assembled and made known their grievance; whereas, the agriculturists living scattered, amidst hills and dales, frequently suffered much more distress than the manufacturer, without the existence of that distress being made publicly known. As Member for a large agricultural county, and as being able to speak positively on the condition of the agriculturists generally, he felt it to be his duty to correct a misapprehension and a prejudice which had gone abroad as to the wealth of the landed proprietors. The majority of the landowners would be found to be small owners, and not so wealthy as had been represented. It had also been insisted, that the operation of the Corn-laws went solely to benefit the landowners at the expense of the land-occupiers; but he was prepared to show, that the contrary was the case. It was said, that the landlords had not reduced their rents in accordance with the small profits of the land. He was not there to uphold a system of high rents; but, he believed, that rents had been reduced fully equal to the fall of prices. Of course, in making this assertion, he was obliged to say it applied generally, and that, in particular cases, it might not be true. Again, he was told that the landlords were a most avaricious set of persons—that they were extortioners. All he could say in reply to this general charge was, that that was not the character of the British landlord. He knew that a relative of his own had lately, in addition to several reductions since the war, reduced his rents from eight to fifteen per cent. He believed, that several other landlords of England had been equally considerate towards their tenants; and, he had no doubt, that many more of them were equally kind and philanthropic as far as their ability could second their will. If a man were obliged to reduce below a fixed point, he might as well be required to give up his whole property. Let hon. Members only compare the rent and expenditure of a farm in 1813 with the same in 1833, and they would then find how agricultural profits had been deteriorated. Much had been said respecting the number of unemployed agricultural labourers; but the fact was, that the farmer could not afford to pay for the same number of labourers as formerly. Where he once had twelve, he could now scarcely afford to keep six. It was true, that he had to pay for those unemployed individually out of the Poor-rate, but then the amount paid in the latter case was not more than half so much as in the former. The wages of labour had arisen in proportion to the rise in the price of provisions during the war; but they had not fallen in proportion to the fall which had since taken place in the price of provisions. Since the Corn-laws had been in operation, the greatest possible advantages had occurred from them to all the various classes of the community. The object in view had been to establish a steadiness in the price of corn, which they had, in a great degree, succeeded in accomplishing. The noble Earl here entered into a detail of the average variation of price since the time of passing the measure, and contended, that the variations in price were smaller than ever was known before. In the present year, although the harvest had been exceedingly bad, yet the variation in price was only 17*s.* a quarter. The present laws had, moreover, the effect of ensuring us a good supply of corn: at the present moment, he believed, that there were above two millions of quarters of corn in bond in England. With regard to a fixed duty on the importation of foreign corn, his opinion was strongly against it; on account of the difficulty of saying what ought to be its amount, and the impossibility of levying it at a period of scarcity. If they could calculate upon always having the same seasons and the same crops, then, indeed, a fixed duty might be very desirable; but as that was not the case, he was decidedly opposed to it. At the present prices he maintained, that a fixed duty of 25*s.* would be an insufficient protection. He repeated his declaration, and would appeal to every farmer in the country in support of it. And then how was a fixed duty to be collected in the time of scarcity? How was it to be collected when the population were starving? Who was to enforce that collection? If protection could not be given to the landholder at the very moment when he most needed it, the law professing to afford it would be an absolute fraud. With regard to the present prices, it must be felt and acknowledged that they were very low, and the consequence was, that the tenantry were suffering, and the landed interest altogether in a very depressed condition. Nor was there any reason to believe that that condition would soon be ameliorated. One great cause of the present low price of corn was the quantity of wheat imported from Ireland. He did not complain of that importation; he only stated, that it was one of the causes of the present low price in this country. He felt that he ought to apologise to the House for not moving the Amendment of which he had given notice. His not doing so was not occasioned by any change in his own opinion; but having been requested by a high authority—having been requested by a member of his Majesty's Government—to abstain, in order that the opponents of the Motion of the hon. member for Middlesex might not be divided, and that that Motion might be defeated by as large a majority as possible, he had felt it right to abandon his intention; trusting that those whom he had originally consulted on the subject, and who agreed with him respecting it, would acquit him of any intentional discourtesy towards them.

Mr. *Poulett Thomson* said: often, as it had fallen to his lot to address the House, which he always did with feelings of great anxiety, yet he could unfeignedly assure it that he never rose to address it under stronger feelings of that kind than those which he experienced at that moment. He had the misfortune to differ in opinion from many of the distinguished friends with whom he was in the habit of acting, and, above all, he had the misfortune to differ from his right hon. friend, the First Lord of the Admiralty. It would, however, be unworthy of the little character which he trusted that he had been enabled to obtain —and he should be unworthy of representing that great constituency which, unsolicited, had done him the honour of sending him as its representative to the House of Commons—he should be a traitor to the opinions and votes which he had always hitherto given upon this subject, if he did not, unhesitatingly, but still with great diffidence, proclaim the views which he entertained upon it. "I must first," said the right hon. Member, "correct a statement made by the noble Lord who has just sat down. That noble Lord has stated, if I understood him correctly, that he had withdrawn his amendment, because it was the desire of the Government that the Motion of the hon. member for Middlesex should be lost in as small a minority as possible. I deny that. The circumstance of my being a member of the Government, and yet voting with the hon. member for Middlesex, is an answer to the statement of the noble Lord."

The Earl of *Darlington:* On what authority does the right hon. Member deny my statement?

Mr. *Poulett Thomson:* The authority upon which I deny the statement is this—that it is an open question in the Government, for the truth of which I appeal to my noble friend sitting near me, and it is on this ground that I am here as a member of his Majesty's Government, though not in the Cabinet, advocating the opinion, and voting for the Motion of the hon. member for Middlesex.

The Earl of *Darlington:* What I said was this: I said that a communication, sent as an appeal to me to withdraw my Amendment, came from a high quarter in his Majesty's Government. I had it, in point of fact, in writing from one who is not only a member of the Government, but also a member of the Cabinet.

Mr. *Poulett Thomson:* If that be all the statement of the noble Lord, it does not at all impugn my assertion. What may be the opinions of the individual members of the Government, be it the head of that Government, or any other member of the Cabinet, is a different question; but if I misunderstood the noble Earl in supposing him to say, that it was the wish of his Majesty's Government, taken collectively, to leave my hon. friend, the member for Middlesex, in as small a minority as possible, then I hope he will excuse me for such an unintentional misinterpretation of his meaning; but if I did not misunderstand him, then the very fact that I am here, a member of the Government, holding the official situation which I do, advocating and prepared to vote for a change in the Corn-laws, is, I think, a sufficient answer to his assertion.—The right hon. Gentleman then proceeded to observe, that he was sorry that this circumstance had given rise to any heat, as his object in discharging the duty which he had to perform was, to keep in mind the example of the hon. member for Middlesex, who had introduced this subject with the utmost good temper, with calmness, and with the absence of every topic which could excite anger and animosity in those whom he addressed. He felt the necessity of following that example the more, because he could not disguise from himself, from the appearance of the House last night, that he was about to speak to an unfavourable audience. At the same time, he felt bound to urge upon the majority, if he had the misfortune to differ from the majority in opinion, that every thing which he had to say could only put weapons into their hands to be used against him; and being the strongest, although they differed from him—nay, because they differed from him—he was sure, that they would feel bound to extend to him an indulgent and patient hearing. He had stated, that he would endeavour to keep his share in this discussion within the bounds of moderation and good temper. If any thing, in the course of his remarks, should fall from his lips which might seem to reflect upon personal interests—and this question, unfortunately, appeared to have been mixed up with personal interests—he trusted that what he had already said—namely, that he differed on this subject from his best and nearest friends, would be sufficient to convince hon. Gentlemen, that such an offence on his part must be unintentional, and that he could not mean any personal disrespect. He agreed with every Gentleman who had yet addressed the House on the other side of the question, and particularly with his right hon. friend, the First Lord of the Admiralty, that it would be most desirable that now should be the time to bring this question to a final issue. He wished, in the utmost sincerity of heart, that it was possible to bring it to such an issue now. Above all, he agreed with his right hon. friend in thinking that this question ought not to be argued on the individual interests of one class or another; it was with regard to the general interests of the community at large that the House was bound to legislate. Upon these grounds, in spite of what had been said last night, he should not find any fault with those who were to be the judges on this question. Whatever might be the individual interests mixed up with this question, so far as it regarded the landlords, he was satisfied to place the decision of it in the hands of the Gentlemen of the House of Commons; being quite convinced that, though they might, in his opinion, form an erroneous judgment, they would still act fairly, honourably, uprightly, and conscientiously. In the course of the debate, his right hon. friend, the First Lord of the Admiralty—to whose Speech he must refer as being the most able which he had yet heard on that side of the question—had stated that, in arguing the case on the principle of the general interests of the country, he must go through the various interests, and show that the Corn-law was advantageous to them all. His right hon. friend had certainly made what he should term rather a landlord's speech—a speech which, whatever might be its merits in other respects, was certainly calculated to catch as many stray votes as possible. He did not quarrel with his right hon. friend for that, although he should presently venture to criticise it; but he hoped that, after his disclaimer of all intentional offence, and after his acknowledgment that he should be guilty of great impropriety were he to say any thing imputing motives of personal interest to any speaker, he might be permitted to submit the arguments of his opponents to a close examination, without exciting their animosity and ill-will. He hoped, too, that the question would be argued without any of those sneers against political economy, and those declamations against philosophy, which did not enforce argument, though they might gain cheers. He had heard, he owned, with much regret, his right hon. friend indulge a little in such sneers; in that his right hon. friend only resembled other hon. Members, for he believed that there was no man who came down to that House prepared to talk on a question like the present, who was not, in his own opinion at least, the very *beau ideal* of a political economist. It might be that, like the man who talked prose all his life without knowing it, there might be some hon. Members who, talking against political economy themselves, talked political economy without knowing it; though, perhaps, none of the best. His right hon. friend should have recollected also, that a sneer at philosophy might be in his hands a double-edged weapon which might cut both ways, for unless he was very much mistaken, he had seen propounded in pamphlets, not very foreign from the question, doctrines, which qualified their author for taking out his diploma in the university of Lagoda, with the unanimous approbation of the philosophers of the celebrated island of Laputa. He trusted, that they should hear no more of such observations, but that the question would be argued on its own merits. His right hon. friend, the First Lord of the Admiralty, and other hon. Members who had followed him in the debate, had very fairly and candidly divided in their argument the various interests concerned in this question. His right hon. friend had said, that he would divide the country into four classes—the landlords, the farmers, and the agricultural labourers on one side, and the consumers on the other. [*Cries of "No."*] He said yes; he gave his hon. friend credit for it; for nothing could tend more to the eliciting of truth, than that hon. Members should understand each other clearly as to the terms they used. The landlords, they were told, were mainly interested in the decision on this subject. His right hon. friend, at the close of his speech, had told the House, that a political consideration entered into the question—that it was necessary to maintain the landlords in the position which they occupied at present, and that the continuance of the existing relations between them and their tenants was indispensable to the tranquillity and well-being of the country. Be that as it might—and for the present he would not dispute it—he thought that, in the exposition of the view which he took of the subject, he should be able to show that the interests of the landords were not involved in the continuance of the Corn-laws as they at present existed, but that those interests would be better consulted by a change of those laws. He had no occasion to argue that point at length, for he had only to refer to the speech of the hon. member for Surrey whose observations last night elicited so much applause from a large portion of the House, and seemed to be accepted by them as a correct representation of their case. In speaking of the condition of the landlords, the hon. Member, speaking from his own knowledge, and from the experience afforded by his own farms said—"Forty years ago, I was receiving 20*s*. an acre. The charges upon it at that time were so and so; the charges on it are the same now, with an addition of 6*s*. more. I receive no more rent now than I did then. The only difference in my condition as a landlord then and now is, that then my rents were well paid, and now they are ill paid." Now, he wished the House to recollect that forty years ago there was no Corn-law save one, and that was inoperative, for the importation of foreign corn was free; and yet, on the statement of the hon. member for Surrey, his condition was the same now as it was then, with only this distinction, that formerly his rents were well paid, and that now they were ill paid. To this part of the subject he would again return, but he would now turn to another class of arguments. The noble Lord, who had preceded him had said, that that man must be perfectly ignorant of affairs in the country who could say that the farmer was not more than any one benefited by the present restrictions on the importation of foreign corn. Now, for his own part, he could not conceive on what grounds the farmer, unless he were burthened with a lease for a term of years, could be interested in the existence of restrictions upon the trade in corn, even supposing prices to be affected by it. To the farmer it must be matter of indifference, if he had not a lease for a definite term, for he employed his capital in farming just upon the same principle as capital was employed in any other trade; and on taking a farm from year to year, would take care to give only so much for it as would leave him a fair return for interest, risk, and labour. If indeed he had been deluded in the prospects held out to him when he took his lease, he must be a sufferer by the present state of prices; but if his farm were merely taken from year to year, it was difficult to see how the farmer could be interested in the continuance of restrictions. But what had been the effect of the legislation of Parliament upon the farmer. What had been the condition of the farmer under the legislation of the last nineteen years? If there was any man who had a right to complain of their legislation it was the farmer, who had been deluded by it into taking his farm on terms which were positively ruinous, and who had suffered severely in consequence of that delusion. What said the Corn-law of 1815? what was the language then held to the farmer both in that and the other House of Parliament? He was told, that the price of corn would not fall below 80*s.* a quarter, and upon that assurance numbers of honest and industrious farmers embarked their capital in farming speculations. Then came the Corn-laws of 1827 and 1828; and what promises did they hold out? He supposed, that his right hon. friend would not dispute the accuracy of his quotation from Mr. Canning's remarks in introducing the Corn-law of 1827, which as regarded the question under consideration, were equally applicable to the present Corn-law, the Corn-law of 1828, which, indeed, the hon. member for Essex did denounce at the time as worse than the Corn-law of 1815. Mr. Canning's language, on introducing the Corn-law in 1827, was as follows—'I think this project 'will tend to equalize the price, and keep 'that equalization of prices steady. The 'market will, indeed, assume such a steadi'ness, that instead of a fluctuation between '112*s.* at one time and 28*s.* at another, 'the vibrations will probably be found to 'be limited within the small circle of from 'about 55*s.* to about 65*s.*'* It was upon that promise that the farmer went; and how had experience justified that promise? On turning back to the list of prices since that Act was passed, he found that, on the 25th of January, 1831, the price of wheat was 75*s.* 11*d.*, and that on the present day, it was 48*s.* and a fraction. By the assurance of this Bill, the farmer had been deluded, and had more than any one a right to complain of the injury which the law had inflicted upon him. So far from being benefited by this Legislation, the farmer had been deeply injured by it. The noble Lord, he believed, would assent to that remark, for the noble Lord, if he did not misunderstand him, implied that the farmers had taken their leases upon a calculation that they would get at least 62*s.* per quarter on wheat; whereas, they had not received it by 8*s.* or 10*s.* His right hon. friend, the First Lord of the Admiralty, had touched very gingerly upon the case of the farmer. The noble Lord who had just spoken, had done so too; and they had both failed in convincing him, that the farmers who had taken their farms in 1815 and in 1828, in the expectation of getting 80*s.* and 60*s.* respectively for a quarter of wheat, had not been injured by the operation of the law. He would next refer to the case of the agricultural labourer. What had his right hon. friend said upon that subject? He had rested the whole of his case upon one hypothetical assertion, made by Mr. Oliver in his evidence. He begged hon. Gentlemen to recollect, that Mr. Oliver said, not that if the Corn-laws were altered, but that if the Corn-laws were altered in a particular way, certain effects would follow. He had assumed, that if there was such a fall in the price of corn as would throw out of cultivation 2,000,000 acres, there would be thrown out of employment 250,000 labouring men, with families dependent on them; making altogether 900,000 persons. That was an argument founded upon an assumption of Mr. Oliver's—an argument based upon no solid foundation whatever—an argument that had been refuted by none so strongly as by his right hon. friend, for at least one half of his arguments went to show, that the result of the change proposed by the hon. member for Middlesex, would not be a reduction in the price of corn. But if the result of the change would not be to lower the price of corn, what would become of the arguments of Mr. Oliver, which were built altogether upon the supposition that there would be a great fall in the price of corn, which would throw a vast quantity of land out of cultivation? But what reason was there, he wished to know, for the supposition, that, under the operation of any such change, a great quantity of land must regard to population: he would not ask whether 960,000 families were dependent on the agriculture of Great Britain, or 1,400,000 on manufactures and commerce; for he did not wish to separate their interests, to support one interest at the expense of another; but he would ask, of what worth would the land of the country be,—where would be the market for its agricultural produce—without its manufactures? What was the relative position of the two classes? The cultivator of the soil readily found a market at home; he was not obliged to go to foreign climes to seek a market for his produce, nor was he compelled to regulate the cost of his commodities according to the price they obtained in other countries. He could get the very best price for them, which the competition at home, or the diminution of the means of the manufacturers and consumers enabled him to secure; and the Legislature compelled the manufacturing and commercial classes, against whom a monopoly was created on behalf of the land-owner, to give almost whatever price he might demand. Now, what, on the other hand, was the condition of the commercial and trading interests? Were hon. Gentlemen aware, that our exports varied from 34,000,000*l.* to 36,000,000*l.* annually, the produce of our manufactures and industry. But could the British manufacturer regulate his prices by the demand at home? Could he obtain the equivalent of his labour valued by the equivalent of labour at home? No; he was obliged to send his produce to distant climes, to contend with the natives of those countries who laboured for almost nothing a-day—to despatch them to find a market even in the interior of Africa, and in the most distant regions of the globe. Was it not, when the two interests were compared, a sufficient advantage on the side of the agriculturist?—was it not sufficient that, for all the produce of the soil which had to be sold to the consumer, the agriculturist had the priority of that market, in which the manufacturing and commercial classes were the principal customers? Even if the restriction were taken off the importation of corn, the agriculturist would have only to contend with the foreign grower, after he had been saddled with the different charges for freight, insurance, transfer-commission, and merchants' profit. Our manufacturers could not effect their sales under such advantageous terms, but had to submit to all the charges he had mentioned before they could produce their commodities in the market. There was, then, on the one hand, an almost unlimited market for the produce of agriculture close at hand, while the market for the manufacturer was at a distance, and his near agricultural neighbour had all the advantages of the expense it would cost the manufacturer to send his goods abroad. To his sales, there was a bar in the expense of transport; to the sales of the farmer there were no such bars. There was, in the nature of circumstances, a great advantage in favour of the agriculturists; and why should they not be contented? But, with regard to the effect this restrictive system had upon industry generally, his right hon. friend had said, "How were your complaints warranted, when the fact was, that in spite of this restriction, the trade of the country had increased, and the export of manufactures had been increased with those countries whence corn comes, and you had not to complain of any loss of trade?" He entirely agreed with his right hon. friend's qualification, when he asked whether an augmentation of manufactures, and an increase of exports, could be considered inconsistent with a system of restriction on the importation of foreign corn. Who said it was so? But when the vast amount of raw material imported into this country was considered—when it was recollected, that Great Britain was in a manner the manufacturing work-shop of the world,—it would easily be seen that the question resolved itself into one of degree. His assumption was, that had it not been for the restrictive laws on corn immediately following the peace, British manufacturing industry would have taken a flight unequalled even in the days of Arkwright or of Watt, and supplied without competition the whole of the world, instead of being, as now, scarcely able to compete with foreigners. It would be easy to refer to documents in proof of this assumption. His right hon. friend (Sir James Graham) had, in his observations, merely repeated the arguments made use of by a noble friend of his (Mr. Thomson's) in the other House of Parliament — arguments which he should be ashamed of himself, if he did not refute, because they were calculated to involve the question in mystery. His right hon. friend had said, that in order to show that our exports had gone on increasing to those countries from which we imported corn, he would read a statement of either the official or declared value of our exports, whichever the House pleased; neither were particularly called for, and his right hon. friend read a statement of the official value. He wished, instead of the official value, that he had given their declared value, because the question was not exactly one of the quantity, but of the value of exports. By the statement of his right hon. friend, it appeared, that some increase in exports had taken place between 1828 and 1832; but he had had the curiosity to ascertain what his right hon. friend had not stated, the declared value, not only during that period, but also during the years 1818, 1819, 1820, 1821, and 1822. During those years, there was some corn imported, but not near so much as in the period selected by his right hon. friend. This was the result of his inquiry. The total declared value of the exports from this country of British produce and manufactures only, during the years quoted by his right hon. friend, viz. from 1828 to 1832, was 82,425,000*l.*; while in the five years he had referred to, viz. from 1818 to 1822, the declared value of the exports was 92,312,000*l.*, showing a diminution of 9,887,000*l.* It might be, however, objected to this argument, that it embraced a period in which the influence of alterations in the currency might have produced extraordinary results. But he would say, that putting the question of currency aside altogether, would any hon. Member answer in the negative to this proposition, that under a freer system of trade, instead of a diminution, there would have been an immense increase in the declared value of the exports? He had stated, and he would repeat, that few men could really judge of the extent of mischief and injury which had been inflicted upon trade, first, by the imposition of the Corn-laws, and secondly by a continuance in them. While those laws remained unchanged, what did the House think we were to say to those countries, against whose commercial restrictions we were constantly protesting? What, if the United States of America passed an almost prohibitory tariff upon British manufactures, if Prussia attempted to establish a commercial supremacy over the whole of Germany, if Russia refused to open her ports to our manufactures,—what answer must we expect from those countries to our remonstrances? They would say, "Can you ask from us the adoption of a more liberal system while you close your ports against the only article we produce? Can you, with any show of justice, call upon us to revise a system which we have adopted in deference to your example, and which we hope to follow with equal success? Were we, indeed, to preach up to those people the true doctrines of trade, and tell them, that restrictive duties were bad while we ourselves continued to enforce them? [*Hear!*] He accepted that cheer; it did not shake him in his view of the case; and if anything could convince him of its soundness, it would be that which was alluded to last night, and which was received almost with a sneer—the present commercial state of France. The condition of France at the present moment exhibited a state of things which was an illustration of what he had always contended for, that, let the disposition of the Government be what it might, if one people exchanged with another the articles of their respective produce,—if it were their mutual interest to be each other's customers,—they would be found, as in France now the vast proportion of the people were found, absolutely knocking at the doors of the Legislature, with a force not to be resisted, and demanding the acquiescence of the Government in measures of free commercial intercourse. This might, ere long, be the case in other countries and might eventually happen in them all. The progress might be slow; it might be attended with difficulties; but perhaps it was not the less certain; nor would it be less wise in the Legislature not to oppose itself to that course. Why not, then, follow the plain and direct course, and get rid at once of those restrictions on trade, which were the only impediments to social intercourse? and why give an opponent a handle, by professing one thing and doing another? He would not trouble the House with reference to many papers on the subject; but he hoped, at the same time, he might be permitted to read one which touched on this very point. It was an extract from a paper published not many years ago; and from it would be seen the kind of spirit which had been excited upon the Continent against us, and how much we had lost by our obstinate perseverance in those laws of restriction. The paper was dated in the year 1829; and it came from Berlin. [Mr. *Baring:* Is it a newspaper?] No, a private communication; and if he were to mention from whom it came, it would receive the respect of the right hon. Gentleman opposite. The right hon. Gentleman then read a paper, which stated, 'that the liberal part of the public 'Press in Germany was calling clamour'ously upon their Governments to adopt 'means to break down the commercial 'ascendancy or monoply, as it was termed 'in these writings, of England; that the '*Allgemeine Zeitung*, the paper which had

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* Hansard (new series) xvi. p. 770.

'the most extensive circulation and influence of any published within the confederacy, had taken the lead in these declamations, and was publishing a series of articles, in which it was expressly stated, that the commercial advantages of England must be reduced, and her prohibition of importation be met with corresponding restrictions by the States of the Continent; that it would be found necessary to establish a second "Continental system," and to exclude British manufactures from the markets of Germany until the ports of England were opened for the agricultural produce of the Continent.' The writer proceeded to say, 'that he was aware the *Allgemeine Zeitung* was not to be considered the official organ of any of the German Governments; but that it spoke the language of a very powerful commercial party in Germany; and that when the proprietor of that paper was consulted by their Majesties of Bavaria and Wirtemberg before any negotiations of commercial intercourse were commenced, it was impossible for these anti-English feelings not to find their way into the Councils of the States.' He read this as a proof of the feeling which existed on the Continent on the subject of our restrictive system. He instanced this as evidence of the sentiments entertained. The hon. member for Essex (Mr. Baring) might rest assured that the paper just quoted came from the hand of no mean authority; and it was no trifling matter, for the prosperity of a large portion of the people of this country depended on it. He would now come to the question more immediately before the House, as to the mode of settling the question of the Corn-laws, by referring the point of a fixed or a fluctuating duty to the consideration of a Committee. He found, that all the arguments he had heard alleged against such a course resolved themselves almost entirely into one. The argument made use of by the Committee in their Report, the argument of his right hon. friend (Sir James Graham), that of the noble Earl, the member for Shropshire (the Earl of Darlington) were all meant to show, that a fluctuating scale of duties produced a fixity of prices. He found, that the noble Lord (the Earl of Darlington) had withdrawn the Amendment of which he had given notice, and which was to declare, that a fluctuating scale of duties was better than any other scale of duties that could be framed. He (Mr. C. P. Thomson) was glad to find that the noble Lord had done so. He did not believe that the House would have been induced to assent to such a Resolution; but if it consented to such a Resolution, it would fairly be entitled to be put on a footing with that House of Commons that declared that a one-pound note and a shilling of a depreciated currency were equivalent to a guinea, which was selling at the time for 27*s.* or 28*s.* The noble Lord's Motion had been withdrawn; and he begged to recall the attention of the House to what the question before them really was. It must be considered to be this, and nothing else: was the present scale, as applied to corn, preferable to a fixed duty? He agreed with those who said, that the object of the hon. member for Middlesex was not to impose a precisely fixed duty, but the principle of his proposition rested upon that basis. It certainly was true,—and he wished to call attention to the fact,—that the hon. member for Middlesex did not desire, in affirming his Motion, to pledge the House to the imposition and continuance of any fixed duty. The exact terms of the Motion were these:—"That the House do resolve itself into a Committee of the whole House for the purpose of considering the Corn-laws, (9th George 4th, cap. 60,) and of substituting, instead of the present graduated scale of duties, a fixed and moderate duty on the import, at all times, of foreign corn into the United Kingdom, and for granting a fixed and equivalent bounty on the export of corn from the United Kingdom." Now that, he would submit, was not to be considered by any means as binding the House to any particular amount of duty, to any rate or mode of imposing such duty, or to any scale according to which it might be increased or diminished; all these considerations were very properly left to the Committee; they were now only called upon to decide between a fixed and a fluctuating duty. Having thus far proceeded with the question, he should beg leave to ask hon. Members, as well on the one side of the House as on the other, what constituted the main argument in support of the present system? It was founded upon this:—that the varying scale of duty produced fixity of prices. If there was anything which could be said in an especial degree to form the great, and, as it was esteemed, the conclusive argument, in support of the system, it was this; yet he believed there was not a man living who, possessing an ordinary share of understanding, and applying his mind, free from prejudice, and with an earnest desire to ascertain the truth, who would not candidly declare, that the facts did not support any such conclusion. For his part, he found it impossible to avoid giving the flattest denial to the assertion, that the operation of that varying scale was to produce fixity of price. His right hon. friend, in arguing this point last night, had made a quotation from a letter of Mr. Huskisson's. He (Mr. C. P. Thomson) had cheered him, not for the reason that his right hon. friend then supposed, but on an entirely different ground. His right hon. friend quoted the opinion of Mr. Huskisson, with the view of showing that that distinguished statesman approved of the Corn-law of 1828, whereas the letter had reference to the Corn-law of 1827. He (Mr. C. P. Thomson) should have been much surprised if the late Mr. Huskisson had expressed himself in such terms of approbation of the Corn-law of 1828; and if he did so, he must have changed his opinion at a much later period. For the memory of Mr. Huskisson he entertained the profoundest respect: unconnected, as he was, with him in politics, he (Mr. Huskisson) had been to him an object of admiration; but honoured as he had been, when a very young man in Parliament, by his kindness and advice, he became one of esteem and attachment; and he (Mr. C. P. Thomson) should be most ungrateful, did he not speak of him with the highest respect, in terms of the sincerest regard. When looking to the sentiments expressed by that distinguished man, the circumstances under which they were delivered ought to be borne in mind. Mr. Huskisson was, at that time, defending himself before his constituents, for not having gone the length of a total prohibition. On such an occasion, surely it was natural that he should use the most specious arguments that presented themselves. He did not mean to imply that he insincerely used them; but it was unfair to bind a man to certain opinions he had expressed, if he had subsequently honestly withdrawn them. He should, therefore, call the attention of the House to what were the later opinions of Mr. Huskisson, when he had arrived at maturity in his opinions, and at independence; and when he was no longer looking to the attainment of the same objects he had in view when he wrote that letter.

The Earl of *Darlington* asked, if the right hon. Gentleman meant to cast an imputation on the character of Mr. Huskisson?

Mr. *Poulett Thomson* said, he would be the last man in that House to throw the slightest imputation on the character of Mr. Huskisson; and he had no doubt whatever but that he entertained the opinions expressed in the letter at the time he wrote it. The opinions of Mr. Huskisson, which he should quote, were expressed on the 25th of March, 1830, two years after the Corn-law of 1828 had come into operation, and were as follow:—'It was his unalterable conviction, that 'they could not uphold the existing Corn- 'laws with the taxation, and increase 'the national prosperity, or preserve pub- 'lic contentment; that those laws might 'be repealed, without affecting the landed 'interest, while the people would be re- 'lieved from their distress, he never had any 'doubt whatever.' Here, then, was the answer he should give to the declaration of Mr. Huskisson, quoted by his right hon. friend. It was the opinion of the same statesman, when it might be considered that his sentiments on the subject had been more matured. But what, after all, did the letter of Mr. Huskisson state? It found fault principally with the alterations that had been made in the policy of the country in 1765; and it declared, that, for a long time, the country had been pursuing a vicious course of policy. It stated, that a free trade in corn would be detrimental to all interests, by producing fluctuation, and rendering this country dependent upon foreigners for its supply. Now, how far Mr. Huskisson had changed his opinion on the subject, he (Mr. C. P. Thomson) had already shown. But he would bring against Mr. Huskisson another authority, who had answered him so completely, and had referred to so many facts, and had gone into such exact calculations, and had adduced such important arguments on the subject, that it would be unnecessary for him (Mr. C. P. Thomson) to do more than request the attention of the House whilst he referred to a few passages. They were from a work that he would recommend to the attention of every hon. Member in that House; and he was sure that his right hon. friend would not be inclined to undervalue it. The book he alluded to was entitled "*Free Trade in Corn the real Interest of the Landowner and the true Policy of the State;*" by a Cumberland Landowner. He (Mr. C. P. Thomson) was anxious to refer to that work, because he found his own opinions and sentiments expressed in much better language, and in a much more forcible manner, than he could put them. With respect to the alteration made in the year 1765, he found this passage:—'Since the year 1765, at which time a great alteration was made in our Corn-laws, the supply of British corn, cattle, &c., and of almost every other sort of merchandise, has increased most amazingly.' Further on, he found the same writer proceeding to say,—'We have, then, the most conclusive evidence, founded on facts and experience, that neither an extraordinary increase in the supply of labour, nor of corn, has been followed by a fall of prices; on the contrary, they have been nearly doubled; and were more than doubled between the years 1780 and 1806, when the trade in foreign corn was most free, and our foreign commerce most prosperous.' He (Mr. C. P. Thomson) could not help saying, that he had been delighted to find, when he wanted an answer to Mr. Huskisson's letter, that he could refer to so able an authority as the writer of that book. When he had such weapons at hand, he did not want any other armoury to go to. He would read another extract from the pamphlet, in answer to Mr. Huskisson's remark, that a free trade in corn would be detrimental to all interests. 'To propose to enrich a nation by forcing a permanent scarcity of corn, and by obstructing the natural course of trade, is, indeed, at variance with common sense. The consequences cannot be mistaken:—the embarrassment of our shipping, mercantile, and manufacturing interests,—want of employment, and desperate poverty among the labouring population,—an increase of crime, and a tendency to emigration,—a loss of our currency, and a fall of the prices of labour and of corn,—a diminution of the public revenue, and a derangement of the public finances,—and, more than all, the certain eventual ruin of the agricultural interest itself;—these are the bitter fruits of a blind and selfish policy, rapaciously grasping at undue gain, and losing hold of advantages placed within its power.' In another place, this writer contrasted the state of Poland with that of England in these terms:—'When England, the land of marine affairs and of commerce, and the best workshop or manufactory in the world, attempted to sell corn in opposition to Poland, a country in want of these advantages, she perverted the natural order of trade; she sold that which it was most profitable for her to buy; and, destroying the means of her natural customers to buy what it was most profitable for her to sell, she artificially lowered the prices of every description of merchandise throughout the long period of sixty-four years. So much for the crusade against the natural order of commerce. No sooner, however, was a sound system of trade in corn adopted, and large importations made, than the medium price of middling corn again rose most rapidly. As a proof how remarkably the freedom of the corn trade had a happy re-action on the general commerce and manufactures of the kingdom, Dr. Adam Smith has observed,—that "the Yorkshire manufacture declined, and its produce did not rise to what it had been in 1755 till 1766." But the author of the pamphlet did not stop here: he was not satisfied with Dr. Adam Smith's observations, and he proceeded to say,—'So far Dr. Smith simply notices the fact, but he appears to have overlooked the cause. He points out the revival of our trade, and fixes the date of this amendment; but he has failed to recognize its precise coincidence with the change in our Corn-laws, and with the commencement of the free importation of foreign grain into this country. Till 1815, the corn trade was free, and commerce prospered. In that ill-fated year the prohibitory system became operative; and as in 1766 trade and manufactures revived precisely at the moment when the restrictions on the import of foreign corn were removed, so, in 1815, when these restrictions were again imposed, commerce languished, manufactures failed, and universal distress overspread the land.' Before he laid down the pamphlet, which he then held in his hand, he should say, that it contained the most satisfactory answer both to the quotation from Mr. Huskisson's letter, and to the speech delivered last night by his right hon. friend. It might be matter of taste; but he confessed, he should much rather take the opinions of the Cumberland Landlord than anything that might proceed upon the subject, even from Mr. Huskisson himself. He would now proceed to the question of fluctuations. Now, how did that matter stand? He would ask, whether there had really been, as had been asserted by almost all the hon. Gentlemen who had opposed the Motion, that there had been less fluctuation in the price of corn under the last Corn-bill, than at any former period? ["*Hear.*"] To what period did the noble Lord who cheered refer? Were they, in imitation of the Report of the Agricultural Committee, to refer back only for a period of fifteen years? What fair comparison could they possibly institute within that period? The noble Lord perhaps would say, that he (Mr. Thomson) ought to take years of peace. His right hon. friend (Sir J. Graham) was interrupted yesterday by an hon. Gentleman, who said, that a comparison could not be made between years of war and peace. His answer was—that he would then take periods before and after 1827. That was no answer at all; for in the year 1827, in his opinion, though not in that of the hon. member for Essex, they had a worse Corn-law than at the present time. He thought, therefore, hon. Gentlemen could not institute any comparison between the present time and any period in which the Corn-law of 1815 was in operation. Then to what period must they go back—to 1797? But that would carry them into the difficulty before referred to, for, with one slight exception, the whole period between 1790 and 1815 was a period of war. He would, therefore, go back to the period of peace, when the trade in corn was almost free. He was aware, that it was stated in the Report of the Agricultural Committee, that there were no accurate returns of the average prices of corn previous to the year 1790. There were, however, some Returns of the price of corn, which would lead to tolerably correct conclusions. He confessed, that he was surprised to see it stated, in the Agricultural Report, that there were no Returns previous to 1790. Did the Committee look to the Act of 1770? Were they ignorant of it? He knew that under that Act, the averages were not struck in so perfect a manner as they were then, or as they were even in 1815 or 1792. At the same time, however, under the Act he had just referred to, some important averages were made. By the Act of 1770, the average price of corn in the London market, should be published in the *Gazette* at fixed periods. He would take, therefore, the average price of corn for a number of years then, and compare it with the averages for a similar number of years from 1829. He found, that taking the five years from 1829, the highest average price of wheat for any year, was 66*s.* 4*d.*, and the lowest average price was 52*s.* 10*d.* that was to say, the average price of the year 1831 was 66*s.* 4*d.*, and the average of 1833 was 52*s.* 10*d.*; thus making a difference between the average of the highest year and the lowest year of 13*s.* 5*d.* He would now take from 1771 to 1775 inclusive,—the five first years under the operation of the Act of 1770. He found during that period the highest average price of corn for any one of those years was 52*s.* 8*d.*, and the lowest yearly average was 47*s.* 2*d.*; thus making the greatest difference only 5*s.* 6*d.* instead of 13*s.* 6*d.* He would then take the five years from 1781 to 1785, inclusive. He found, that the highest average for any of those years was 52*s.* 8*d.*, and the lowest 44*s.* 4*d.*; thus showing the greatest difference to be 8*s.* 4*d.* Now, he begged the hon. Members to recollect, that the greatest difference in the average of the five years under the Corn-law of 1828, was 13*s.* 6*d.* He would ask them, therefore, whether what he had just read was not sufficient to show that there was greater fluctuation in prices at present than there was formerly? Did it not show, that the Corn-law that had been passed to prevent fluctuation, had failed in its object? But he would not stop there. He was prepared to contend, that taking yearly averages did not furnish any thing like a correct criterion by which to judge of the extent of fluctuations in the course of a year. The price of corn at one period of a year might be 80*s.* a quarter, and at another 40*s.*; and yet the yearly average might make it appear 60*s.* Under such circumstances, the country might labour under all the evils of the greatest fluctuation in prices, and yet it would not be apparent. He would, therefore, adopt a course which he thought would make the matter much clearer to the House. He would take a period since the passing of the last Corn Bill, and take the highest and lowest average prices, not for years, but for periods of six weeks. He would compare those averages with similar averages that had been made of the price of corn between 1783 and 1791. He obtained the latter averages from Returns printed in the *Gazette* of the price of corn in the port of London, and signed by the Lord Mayor. The Returns undoubtedly were only the returns of prices of wheat in London; but that would rather tell against his argument, than if he took the whole country, as it must be quite clear that, in a single market, the price was much more liable to fluctuation than when the sales of the whole kingdom were taken into account. He would take from 1783; and he found that the highest and lowest average prices of corn, as given by the Lord Mayor, and published in the *Gazette*, were as follows:—

	s.	*d.*		*s.*	*d.*		*s.*	*d.*
In 1784 the prices varied from	48	2	to	41	10	difference	6	4
In 1785 — —	37	5	to	34	6	difference	2	11
In 1786 — —	36	2	to	33	10	difference	2	4

In 1787 — —	44	10	to	36	1	difference	8	9
In 1788 — —	45	1	to	42	9	difference	2	4
In 1789 — —	54	11	to	47	0	difference	7	11

From that statement, the House would see that the largest amount of difference was 8*s.* 9*d.*; the lowest 2*s.* 4*d.*; those had been the fluctuations under a system which had been referred to as greatly inferior in its working to that which had prevailed since the year 1828, when a measure was introduced, which professed so to regulate prices that they should always vary between 55*s.* and 65*s.* That was Mr. Canning's statement, and on his statement the Bill was passed. Now, if prices were even kept within that range, he should deem it too extensive; but, how stood the fact, and what had been the operation of the Bill?

	s.	*d.*		*s.*	*d.*		*s.*	*d.*
In 1828 the prices varied from	75	3	to	56	0	difference	19	3
In 1829 — —	75	3	to	56	3	difference	19	0
In 1830 — —	72	11	to	56	1	difference	16	10
In 1831 — —	73	5	to	60	5	difference	13	0
In 1832 — —	63	5	to	52	5	difference	11	0

Any hon. Gentleman who took the trouble to examine the Returns, would see that the boasted effects of the graduated scale, which was to limit the fluctuations within a range bounded by 55 and 65, had been to create an extent of fluctuation far greater than its projectors at all anticipated, and extending much beyond any amount of fluctuation which ought to exist under a sound and well-regulated system. He contended, also, that a fluctuating scale of duties was most injurious to the consumer, and was, above all, injurious to the party hon. Gentlemen said they were anxious to protect. The fluctuating scale had proved most deceptive to the farmer. By means of that scale, immense importations of corn had taken place far beyond the power of the market to take off at once; and the consequence had been that the farmer had suffered most severely. Sometimes a low average had been obtained for the purpose of importation, by holding back the corn on hand, and running up the price, until the duty had been reduced to the *minimum*; then the reaction had taken place, and the fall been accelerated by the weight of what had been thus introduced into the market. He did not like to trouble the House with referring to papers, but there was one other which he felt called upon to direct attention to. He wished to allude to what took place in 1830. It would be in the recollection of many hon. Members, that it was much feared that the harvest of 1830 would prove a very bad one; the greatest fears were expressed on the subject, and above all, on the Corn Exchange. The price of corn rose rapidly in June and July, and the duty decreased to the extent of 2*s.*, 4*s.*, and 6*s.* a-week on the quarter, but still not a single quarter of corn was brought out of the bonded warehouses. The harvest came on, and was a moderate one; although it was not of the average quantity, it was of good quality. The farmer of course expected to obtain for the deficiency, a higher price for his corn. Just previous to the harvest, however, the prices had risen to that extent that the duty fell to nothing, and the consequence was, that in the course of six weeks, namely, from the 5th of August to the 30th of September, during which period, it was thought that the harvest would be deficient, not less than 1,250,000 quarters of wheat were taken out of bond, and carried into the market. The consequence was, that prices fell to a ruinous extent, and the farmers could get nothing like a remunerating price for their corn. He begged the House to recollect that that was under a law framed for the protection of the farmer—under a law that was to give him complete prosperity. He asked whether it would not have been much better for the farmer if there had been a fixed duty? The farmer naturally calculated on getting something more than the average price for his produce, in proportion to the diminution of the crop; but he found, just as the harvest came in, instead of prices rising or continuing high, that in the course of six weeks, the price of wheat fell no less than 11*s.* 3*d.* per quarter, from 72*s.* 11*d.* to 61*s.* 8*d.* He contended, that a fixed duty of from 8*s.* to 10*s.* the quarter, under which foreign corn could at all times come into the markets of this country at a moderate price, would have prevented this occurrence and the consequent loss. He now begged to call the attention of the House to the effect of the fluctuating law upon our shipping. In order to reach a given market before the average changed, it was necessary to ship the corn without loss of time; and hence it followed, that the instant the ports of this country were thrown open for the admission of foreign corn, the vessels on the spot were used for the purpose. It therefore happened that by far the larger proportion of the foreign grain imported into our ports reached this country in foreign, and not in British, bottoms; but would this be the case if the present Corn-laws were not in being? Undoubtedly it would not, and consequently he was justified, in saying, that these laws operated most injuriously upon our shipping interest. One of the witnesses examined before the Committee on Trade of last year, Mr. Young, —a gentleman who did not take the same view that he (Mr. Thomson) did with regard to the shipping interest, and whose opinion he would, therefore, the more readily quote upon this particular point, gave the following evidence: Mr. Young was asked—

> Do you think that having a larger proportion of the carrying trade of corn would be beneficial to you?—Yes, it would; if there was a fixed duty upon corn, I have no doubt it would be beneficial to us, for, at the present time, if the ports are opened, orders go out to the foreign ports; the foreign ships are at home and get freighted; and, before the English ships can get out, the principal part of the orders are filled up, and the freights get lower; we are, therefore, disappointed when we get there.
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> Do you consider that the alteration from a fluctuating to a fixed duty would be the means of giving additional employment to the British shipping?—Yes, it would.

Mr. Hedley, another witness whom he questioned on the subject, gave evidence to the same purport. Mr. Hedley was asked—

> Do you think the shipping interest would be benefited by an alteration of the Corn-laws?—I think, if there was a fixed duty, it would give very great increased employment to British shipping, instead of foreign, in the early part of the year. At the present moment, when any prospect of bad weather occurs during the harvest, or even in the spring of the year, the orders are sent out so quickly, that there is not time to send English vessels out, and the foreign vessels are taken up forthwith. Now, if there was a fixed duty, there would be none of that speculation, and we should have a supply of corn of a superior description; there would be a regular import instead of a fluctuating one. I think, if there were a fixed duty, British shipping would become the carriers of nearly all the corn.
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> You have stated that you think the English shipping interest would be benefited materially by the change in the Corn-law you have mentioned; would not that depend upon the comparative expense at which foreign and British ships could be navigated?—I think that British shipping could be navigated as cheap as foreign; and even if it could not, I should prefer British shipping in bringing corn; you have no dependence upon the foreigner bringing corn; he perhaps runs into foreign ports, and you have nothing but trouble and vexation with him; a great many of them have run into Norway, &c.

He came now to the effect produced by this fluctuating law on trade, and that was his principal objection to it. He had already stated, that he did not give in to the delusion, that if the Corn-laws were repealed or modified to the extent of the present proposition, corn would be much cheaper. He did not expect any such thing; but his opinion was, that the price of wheat, under such circumstances, would be much more equal. Now, it was apparent to common sense, that their object should be, if they were obliged to take large supplies of corn, such as they did at present, from foreign countries (and the report of the Agricultural Committee stated that we depended on foreign supplies in ordinary years)—their object, he repeated, should be to make the most of what they were obliged to take. Now, under the existing Corn-laws our trade in corn with foreign countries, owing to the fluctuations and the irregular demand, was looked upon by them as an absolute nuisance. When a rise in the price of corn took place here, the consequence was a sudden demand from this country for corn from foreign countries, so as to disturb their prices to an incredible extent. The demand came so suddenly, and was to such an extent, that the effect of it was to derange their system, and completely unsettle their markets. It appeared from an article that was recently given in a paper published by authority in Germany, that the demand from England for corn came generally so suddenly there, and so greatly disturbed all their internal operations, that it was considered by them rather as an injury than a benefit. But this was not all. Did our present trade in corn with foreign countries, large as it was, induce them to take English goods in return? Did it tend to produce among them a taste for English manufactures? No such thing. There was no doubt that a trade, under an equal and fixed duty, and a constant communication, would produce such an effect. Could there be a doubt that such would be the case, considering that during the last five years we had imported an amount equal to 6,000,000 quarters of wheat from foreign countries? Could it be denied, that if such a trade were carried on upon equal and steady principles it would tend to diffuse a taste for, and to promote the consumption of English manufactured goods on the Continent of Europe? But, as the existing law stood, foreign corn came to us at rare intervals, and at a high price. How much of that price which was eventually paid for foreign corn in this country went into the pockets of the producers of it? After the charges for warehousing, for interest of money, for insurance from fire, were deducted from the price which it fetched, it would be found that a very small proportion, indeed, of the total sum paid for it went into the pockets of the producers of the corn. Now, that was one of the main objections to the existing system of Corn-laws. With the present fluctuating duty, while we had to pay a high price for foreign corn, the revenue did not gain by the increased price. The producers of the corn were not gainers by it. In fact, a great proportion of that price was money actually lost. He would appeal to hon. Members whether the interest that was necessarily charged for corn laid up in the warehouses of Dantzic for three or four years, and then deposited in the warehouses in London for two or three years, was not lost to those who had produced that corn, as completely and entirely at if it had been money thrown away? As he had said before, a great proportion of the various charges to which foreign corn was subjected, must be regarded as money thrown away. When he was connected with business, the calculation was, that kiln-dried wheat could not be kept for less than 8*s*. or 10*s*. a quarter annually. Therefore, there was a positive loss to that amount—replaced by nothing—conferring advantage on no one—which might be saved by an alteration of these laws. But then they were told, that if the present system were altered, they would depend too much on foreign countries for their supply of corn. Now, in reply to that argument, it was only necessary to refer to the Report of the Agricultural Committee, which showed that, at this moment, we were dependent on foreign countries for a very large supply of corn, and that supply too obtained under all the disadvantages incidental to the fluctuating duty at present in existence. Was it not reasonable to suppose that if that duty were a fixed and equal one, though that supply might be obtained much cheaper, it would be obtained on fairer and juster terms? The advocates of the present proposition had been taunted with the supposition of placing this country at the mercy of foreign countries for its supply of corn in time of war. He was surprised to hear his right hon. friend last night repeat that taunt, and quote Mr. Huskisson, to the effect, that Europe, under such circumstances, might shut her ports against us. What was the fact?—and fact was in this case a thousand times better than theory—why, that in the middle of the last war, when the greatest efforts that were ever resorted to, were made to shut us out from the Continental markets, we actually imported a larger quantity of corn than we had ever imported at any previous period; no less in amount than 1,400,000 quarters were imported into this country at a time when we were at war, and when, according to the extract read by his right hon. friend from the pamphlet of Mr. Huskisson, this country would sink under the opposition of the Continent. His right hon. friend, the First Lord of the Admiralty, had shown last night, that the fluctuation at Rotterdam, under a system of free trade in corn, was still greater, within the last three years, than in Great Britain, where the trade was fettered by restrictions. But the cause of the changes in Rotterdam might in a great measure be traced to our Corn-laws. That market, from its proximity and convenience, was immediately affected by our market, and being the theatre of speculation, prices were more affected there than even here. Then they had been told, that even if a fixed duty should be imposed upon the importation of corn, the prices would not be lower than they were at present. His right hon. friend, while the whole of his arguments went to show that the adoption of such a duty would be the ruin of the agriculturists, had also contended that, under such circumstances, the prices would not be lower than they now were. His right hon. friend showed that the average price of wheat in Volhynia and in Ireland was almost precisely the same. Was not that circumstance a sufficient answer to those who said, that if a fixed scale were adopted, the landlords would be ruined, and the farmers severely injured? If prices were the same in Volhynia and Ireland, the preference would be sure to be given to the corn from Ireland, because of the necessary charge of 10*s*. or 15*s*. per quarter on the transport of Polish corn. Now, for his part, he knew not how his right hon. friend could reconcile his statement, that prices would not fall in consequence of the adoption of a fixed rate of duty, with that ruin to the farmers and landlords which he had so confidently predicted as the inevitable result of such a measure. They had been told that the landowners were entitled to peculiar protection, as the land had peculiar burthens to bear. He was not the person to object to what was fair and right; and if it could be shown, that the landowners were subjected to greater burthens than other classes, he would say, that they should be protected. He was well aware that the doctrine he was about to propound was one that was not calculated to render him popular; but he would not for that reason shrink from declaring his sincere opinion of what he conceived to be just. He agreed with his hon. friend, the member for Middlesex, that as this law had only existed since 1815, the landowners had no legal claim on the country for compensation, but he thought they had an equitable claim. He would not dispute that the landowners had a claim to a certain degree of protection. He would give them compensation for it. Let them make out their bill of costs; and he for one would pay it with a great deal of pleasure. He would say, let the landowners be remunerated for any charges to which the land might be specially subject. His right hon. friend had referred to Mr. Ricardo, as being of that way of thinking. He knew that Mr. Ricardo was; but what did that Gentleman say besides? He had calculated those charges, and had said, that a fixed duty of 10*s.* was nearly double the amount that was required to compensate the landed interest. His right hon. friend had quoted Mr. Ricardo as if he were with him, and against the imposition of a fixed duty; but he would find, that the authority of Mr. Ricardo was against him on that point. Mr. Ricardo proposed the adoption of a certain fixed duty, as being a full and sufficient compensation to the landowners. Let them adopt that plan, and do not let them throw away the various sums which he had shown were thrown away in the shape of different charges under the existing system. By the adoption of such a plan as that of a fixed duty, there was no doubt that the revenue would be a gainer; and, under such circumstances, he would not object to appropriate the amount of duty thus received towards affording that relief to the landowners to which they should prove themselves entitled. He feared, that he had rather trespassed on the time and attention of the House; but he was sure that the great importance of the subject would be a sufficient excuse with the House for going so much into detail with regard to it. He had endeavoured to go through, and he hoped with some success, the arguments which had been urged on the other side of the question. The argument of time alone had not been touched upon, and upon that he would only observe, that if ever there was a time for making such a change as that now proposed, properly and beneficially, it was the present. They had heard it much dwelt upon, that the price of corn was now at 48*s.*, and that it could not fall much below that. He would answer for it, that any importation which could take place at the present moment, more especially when he looked at the state of the south-east of Europe, where corn was almost as dear as it was here, and where the Government was actually marching the population to the corn, because, to do so, cost less than it would to carry the corn to the population. He would answer for it that any quantity which could be sent in now would not disturb the existing price in England. As the only argument which had been adduced against a change was that arising from a fear of a fall in that price, it was clear, that now was the time to effect a change. But there was another powerful argument for it:—They could legislate now with calmness, with deliberation, and with wisdom. Let them wait till the price of corn should rise—let them wait until one of those fluctuations should, under the dispensation of Providence, occur, through a failure of the harvest in this country, with a failure also of the harvest in France (a prior customer to us in the markets of the continent) with those markets not abundantly stocked, hardly sufficient, in fact, to supply their own demands,—let them wait till that time should arrive; and then a change in the Corn-laws would be called for in much less respectful language than he should wish ever to see addressed to that House. They could now legislate, holding the balance equally poised between all the different interests connected with this great question. Let them but legislate wisely on this subject now, and they might secure that continental market for their manufactures which delay might deprive them of; let them but adopt this proposition now, and they might meet effectually that continental combination which was at that moment arising in different parts of Germany to shut out English manufactures from their markets. Let them postpone what must eventually be done with regard to the Corn-laws, and that combination would have spread so widely, and become so deeply rooted, that it would be inaccessible to argument and impossible to be overturned. Above all things he would say to the House—" Act now." Let them act now, in order to answer that notion, which, in his opinion, arose from ignorance or mistaken ideas, namely—that, in the first place, very cheap bread would be the result of such a measure as that now proposed, and that, in the next place, the effect of the existing law was to deprive the people of food. That feeling, however mistaken it might be, existed, and they might depend upon it that it was diffusing itself generally throughout the country. Such an opinion could not be put down by argument; and the only effectual means of putting it down—the only effectual mode to convince the public of the fallacy of the notion, consisted in that House resolving to resort to a different system. He, for one, would submit cheerfully to the decision of that House, whatever it should be; but he would not answer that such would be the feeling out of doors. He was afraid, that he could not doubt what that decision would be. They would, most probably, pronounce in favour of the existing system; they would, most probably, declare that that system was the right one; but he could not conclude without expressing his opinion, in the words of Lord Liverpool, that, in spite of any decision they might come to, a restriction on the food of the people could not endure.

Mr. *Baring* said, that in consequence of what had fallen from the right hon. Gentleman who had just sat down, he felt it necessary to address a few observations to the House. He begged to call the attention of the House to the particular position in which this question stood. Last year Committees were appointed,—one to inquire into the state of commerce, shipping, and manufactures, and another to inquire into the state of the agricultural interest. The Report of one of those Committees was, that there existed a great depression in the state of the agricultural interest, whilst the other reported that there existed great improvement, prosperity, and success in the various branches of the trade, commerce, and manufactures of the country. Now, as far as regarded the agricultural interest, the distressed situation in which it was at the time the Committee made its Report had since been aggravated. It subsequently occurred that the noble Lord, at the head of his Majesty's Government in that House, in affording the only relief which he stated himself enabled to afford from taxation, gave that relief, in opposition, as he distinctly said, to his own opinion, to the inhabitants of great towns. That noble Lord had, however, on another occasion, referred to the benefits which, he stated, were about to be conferred on the agricultural interest in the commutation of tithes, and in the alteration which it was intended to make in the Poor-laws; and he had assigned those benefits as reasons for the determination to which he had come with regard to the class to whom the relief from taxation should be afforded. On the first day of the Session the noble Lord (Lord Althorp) stated, in answer to a question put to him on the subject, that his Majesty's Government would not propose any alteration in the Corn-laws,—those laws which the farmers considered, and in his (Mr. Baring's opinion) truly considered, as the best protection for their interests. The noble Lord's expressions were these—"that if any hon. Gentleman should propose any alteration, he would do so without the sanction of Government; and he (Lord Althorp) could add, that the Government would not support it." He had quoted the noble Lord's declaration from those well-known means through which the public were made acquainted with what passed in that House. That declaration had gained the noble Lord many votes in the division on the Motion with respect to the Malt-tax; and this he could state, with certainty, that it had diffused general confidence throughout the country, affording, as it did, to the agricultural interest, the assurance that his Majesty's Government would lend no countenance to such a proposition as that now before the House. He had mentioned these circumstances as an introduction to the observations which he had to offer in reply to the arguments of the principal champion on this occasion of such a proposition—that champion being none other than the right hon. Gentleman at the head of the Board of Trade in that House. He did not suppose, it was true, though he had heard it insinuated, that one-half of the members of the Cabinet were determined to support this proposition. This, however, he would say, after what had already occurred—one member of the Cabinet, the right hon. Baronet, opposing, while another member of it, the right hon. Vice-President of the Board of Trade, supported such a proposition—that, seeing the impression which the noble Lord's (Lord Althorp's) declaration on a former occasion, to which he had referred, had produced throughout the country, the feeling in the country amongst the agricultural interest would be, that faith had not been kept with them as they had a right to expect. He had no intention of following the right hon. Gentleman who had preceded him through all the arguments which he had adduced on this subject. He would, in the first instance, just advert to two circumstances which he considered well worthy of consideration at the present moment. One of them was this—that, in this country there had, for many years existed, under different degrees, what was called and considered a protection for agriculture. The right hon. Gentleman who had just spoken had stated, that that protection had originated in 1815. Now, in making that statement, the right hon. Gentleman had, unconsciously, no doubt, completely misrepresented the fact. Even before 1815 there was a greater degree of protection than at the present time. The right to protection, on the part of the agriculturists, was no new thing in this country—it had, no doubt, often varied considerably in amount; but, he believed, that throughout the whole lives of the active portion of the present generation, a certain degree of protection had always existed. Before 1815 that protection extended till the price rose to 66*s.*; after the law passed in 1815 the amount of protection was increased until, at last, they came to the measure of 1828. The right hon. Gentleman stated, that he had opposed that law. He would candidly say, that, at the time, he did express some dislike to the details of the measure then proposed. [" *Hear,*" *from Mr. Hume.*] His hon. friend behind him, in cheering that statement, seemed to think that he (Mr. Baring) had, in 1828, disapproved of the extent of protection then proposed to be afforded. Now, the very contrary was the fact, for his objection to that measure then was, that it did not give sufficient protection. It was difficult, however, to predict truly what would be the effects of a measure with such complicated machinery. The trial which that measure had since had altered his opinion, and he was ready to agree in the sentiment contained in the Report of the Agricultural Committee, that, on the whole, taking everything into consideration, that measure, with its varying duty, had worked well. It was quite possible that hon. Gentlemen might point out particular years and circumstances which would lead to another conclusion; but, taking all the particular occurrences that had taken place together, and the agitation that had been excited against those laws, he was convinced that no more satisfactory arrangement could be substituted in their place. He was prepared to maintain, that the outcry against the Corn-laws did not originate in any evil which had been felt by the people under their operation, but had been got up by a class of persons who went about and told them, " Here is an interference with your food; if you get rid of it, you will get bread cheaper, and have a loaf for half the price you now pay for it." When statements of this description were made by persons, though even for doubtful purposes, it was not to be wondered at that unpopular feelings should be generated. He happened to know, however, from an individual well acquainted with the state of feeling on this topic existing at present in the city of London—a city with which he had formerly been himself nearly connected, and was, consequently, acquainted with the feelings of its inhabitants, that the respectable tradesmen of that great Metropolis by no means joined in the clamour and outcry which had been raised with reference to the Corn-laws. This information, from an individual (as he had already stated) well acquainted with the state of feeling, served to confirm him in the opinion which, from his own observation, he had previously formed. The outcry and clamour which had formerly prevailed had been increased by articles published to the world from the pens of foreigners, who, themselves, had corn warehouses in the granaries of this country; and to this interference could be, in a great degree, attributed the agitation which pervaded many classes of the community, with reference to the laws now under the consideration of the House. Whatever might be the advanced state of education amongst the people of any nation, or whatever had been the progress in point of information and intelligence of any population, it could not be doubted that it was easy for any man, so disposed, to raise the flame of discontent and discord by such statements and publications as those to which he had alluded. The right hon. Gentleman who had spoken last, as well as the hon. member for the Tower Hamlets (Mr. Clay), and the hon. and gallant member for Bolton, all of whom were Members for three great districts recently added to the representation of the country, had, each in their addresses to the House upon the present question, added to their entreaties threats, such, as he had always predicted, would be heard in that House after the Parliament was reformed, that if that which was sought by them was not conceded by the Legislature, it would be done with a vengeance from without. He admitted, that this threat had been thrown out under very guarded expressions; but whatever threats might be made, and whatever might be the terms in which they were conveyed, so long as he had a seat in the Legislature, they would fail to influence his judgment, and, he was satisfied, would fall harmless upon the great mass of the Members of the Commons' House of Parliament. The hon. member for Middlesex cried "hear," as if he (Mr. Baring) had said that his disapprobation extended to the protection that was given by the measure. He had not, nor could he make any such admission. He conceived that that protection had proved sufficient, notwithstanding he doubted it at the time the change was proposed; and, although the machinery was complex, he was bound to declare, that in his humble judgment, the system of averages then established had worked well. First, the right hon. Gentleman said, that the present protecting low duty did not do the farmer or the labouring population any good; and, secondly, he had dwelt with much triumph in anticipation upon the immense good to be done to the foreign commerce of the country by its abolition. Now, there was one argument which the right hon. Gentleman had used in maintaining these propositions which he hoped would be weighed well by the people. He had told them very plainly, that he was not about to give them cheaper bread. He had said, indeed, that farmers were to have better prices for their corn, and therefore were to be better off. He did hope, that when Gentlemen went about to harangue upon these topics at public meetings, where political incendiarism was so easy, that they would take care to bring into their account this declaration of the right hon. member for Manchester. Upon these two different points he would trouble the House with some remarks. First, with regard to the state of the farmer and the labourer. He had always considered, that this was a question of protection to those classes, though, in 1815, he opposed as strongly as he could do the increase of the protecting duty from 66*s.* to 80*s.* He felt it his duty, then, to do so because the country had just emerged from a war of unprecedented duration, and affairs were in a state of great derangement as to the currency and the necessary winding-up of the war establishments; and he therefore thought, that, at a time so unsettled, to pretend to make a new law to regulate the importation of corn would not be prudent, and consequently he opposed any increase of the protecting duty. The great adversary against whom he had then to contend, who, according to the Gentlemen who supported this Motion, was the opponent of protection—was Mr. Huskisson, who maintained, that the first thing they had to do, was to secure an independent supply of food for the population, and, in order to effect that, supported the increased duty and increased protection to the farmer. This was what he contended the House was now bound to do; but this was not the doctrine of Gentlemen who professed to be carrying into effect Mr. Huskisson's principles. When the right hon. Gentleman, the member for Manchester, talked of not taunting the people with being theorists and philosophers, the objection he took to the philosophers, if they were worthy of being called philosophers, was when they thought of throwing their schemes into all old communities, such as existed in this country, placed as they were in the midst of other old communities which surrounded them on all sides throughout the European system—a system made up of old prejudices and old associations, commercial, manufacturing and political—and from which it was impossible, that men could be driven for such a purpose. With such materials as these to work upon these pseudo philosophers argued as if they were dealing with a new community just established at the Swan River, where he certainly recommended, that they should go and apply their principles, for there, at least, they would destroy nothing, whatever they might fail to create. Where was the man who could not take into his view all the disturbing causes that must arise to impede the operation of first principles in old settled systems full of complicated interests, engrafted upon and interwoven with every engagement of society? No such man was to be found. He was in reality a child in intellect, who attempted to deal with these things without taking all the elements of the case into his consideration. He was always ready to listen to these philosophers on first principles; but he must always insist, on judging for himself, how far their doctrines were applicable. The right hon. Gentleman, the member for Manchester, and those who supported him, particularly the hon. member for Middlesex, had dwelt upon the superior advantages of a great manufacturing country, and a great commercial country, over every other. The House was told, that if they only listened to these advisers, if it would only adopt a free trade in corn, we should double our manufactures, there should be no end to our foreign commerce, and that, instead of a distressed agricultural population, as they pretended we now had, all the country would be divided into ornamental plots of ground, and all the people would be as flourishing and prosperous as the manufacturers now were. He must confess, that it appeared somewhat strange, if all the other interests were in such a palmy condition, that they should be complaining of the protection enjoyed by the agriculturists, who they said were ruined. Why, it was the rich man begging at the poor man's door. But was there any reason to look for this increase in our foreign trade, or any increase at all in demand for our manufactures arising from such a source? In his opinion, no sacrifice they might make, would propitiate the other Powers of Europe, all of whom had exclusive systems of their own, to receive our own manufactures to the injury of their native productions. "They will receive you," said the hon. Member, "with great attention. Your great philosopher, Dr. Bowring, will be puffed from one end of the Continent to the other in their newspapers, as the greatest genius that ever came amongst them—but you will get nothing else from them." But even if the right hon. member for Manchester, and the hon. member for Middlesex, were to join their exertions —and thus complete the trio—to those of the illustrious Doctor, they would fail to persuade either France, or Prussia, or the small states of Germany to make any concessions on those important points. This was the experience they had had; they had given the right hon. Gentleman from year to year to bring them proofs of any return for the sacrifices they had made; and now where were they? He was one of those who thought that free trade was most desirable if its accomplishment were practicable, and that considerable sacrifices should be made to obtain it. But the right hon. Gentleman must now know, that when he came in contact with official men in Paris—he had formerly reason to know that it was so from his own experience—it was the easiest thing in the world to get every possible assurance of their desire to return the advantages you gave them, except the act of doing it. Well, but the right hon. Gentleman had told them that there must now be something done in France, for the people of Bordeaux were making such a stir—that something must be done. Let him call to the recollection of the House, what was the peculiar situation of the people of Bordeaux. They were for a free trade with all the world, because they wanted to sell their wines, and wine was drunk everywhere. They cared not whether the manufactures they consumed came from Manchester or Rouen. The people of Lyons were much in the same position. They knew that we had given them a great advantage in letting them supply us with silk without receiving any corresponding concession; and if we attempted to withdraw that permission, no doubt the people of Lyons would cry out loudly for free trade. But would the manufacturers of Rouen, or the manufacturers of hardware in France, consent to receive our manufactures? It was a fine thing, no doubt, to know that the people of Bordeaux and the people of Lyons wished to sell their silks and their wines, and were very favourable to the right hon. Gentleman's plans; but it was necessary that the other interests in France should be of the same mind; and, without that, the popularity of free-trade doctrines in Bourdeaux and Lyons, was hardly a ground upon which the House would prudently proceed to a repeal of the Corn-laws. He certainly had lately read in some newspaper, that one of the Cantons in Switzerland had made a declaration embracing the purest principles of political economy. If it had come from a club of economists it could not have been more orthodox, and no doubt the right hon. Gentleman had regarded it as a triumphant proof of the march of his principles. But it unfortunately happened, as he found on looking at the map, that the place was surrounded by mountains, and was so situated, that no other people in the world could have much intercourse with them. There was a time when it was sufficient to gain the ear of the Minister in France, to effect changes of this nature. But now France had a Representative Government, and, as in England, a measure of that sort had to run the gauntlet of all the interests to be affected by it, before it could be carried into effect; and would never come to the issue which the right hon. Gentleman vainly hoped to see. The same with respect to Russia. She pursued her own prohibitive system, holding the door in her hand, and shutting it upon us whenever, for the protection of her own manufactures, it should be convenient. He thought, too, that there might be political causes which would prevent a very cordial or extensive commercial intercourse with Russia; but she was alive strictly to her own interests; and that would be the first motive of her reluctance to receive our manufactures to any great extent. But, then, the right hon. Gentleman came to Germany, and in Germany he told them there was a great cry out for free trade, which could not long be resisted. The right hon. Gentleman had read to them, as the foundation of his hopes in Germany, a letter which referred to some articles which had appeared in the *Allgemeine Zeitung*, and he had thought it necessary, in order to strengthen his authority, to inform the House that the persons who wrote in newspapers were great men in that country. He did not know whether the right hon. Gentleman meant that no great men were writers in newspapers in this country—but he must certainly have had some reason for making the distinction. Now the gist of those articles was a statement that the people of Germany were bent upon breaking up the monopoly possessed by England in the German markets for her manufactures. It stated that the Government of Prussia, with the greatest skill and art, had succeeded in bringing all the little principalities of Germany into a union for this object; and that it was apprehended that even the King of Hanover would be prevailed upon by the same seductive means to join it. This appeared to him to be an odd sort of prospect for the extension of the market for our manufactures. That question was not at all one of corn. If we were to go and offer Prussia, who had manufactures of her own in Silesia, to take her corn, would she not laugh at us if we expected her to take our manufactures in return for it? Before any legislation should be adopted upon so important a question, he must express his hope that the right hon. Gentleman and the House, would get from other sources than an article in the *Allgemeine Zeitung*, a knowledge of what the feelings of the people of Germany were. He thought it would be well if the Government generally attended to this caution. He was sure that if the noble Lord at the head of Foreign Affairs had taken half the pains to defeat the plans of Prussia in forming this commercial confederation against the interests of this country that he had taken in other things with which the country had nothing to do, he would have been much more advantageously employed. He would not, however, further state his views as to the utter neglect which the Government had betrayed upon this important point of its duty, as that would probably form part of a separate discussion. At the same time he could not avoid saying, that the noble Lord he had alluded to had not, on this point, paid proper attention to the best interests of this country. Reverting to the question before the House, he must observe, that no material advantage could arise to this country, no important addition to her foreign trade, by altering the present mode of receiving corn from the Continent. The alteration proposed—substituting a fixed for a varying duty—would give them, it was supposed, steadier prices and a better average at home; but that he denied; there might be improvements made in the details of the system; but it could not affect the foreign markets in our favour to any sensible extent. We received, he admitted, a considerable quantity of corn from abroad, and those who proposed that we should take it at a fixed duty, would admit it at all times whenever parties might choose to import. On the contrary, those who were in favour of the system of a varying duty, would take corn when we wanted it, and not take it when we did not. That was the difference, in his opinion, between the two parties at issue upon the present question. Now, what were the circumstances under which the House was asked to decide this difference? At the present time there was a million of quarters of foreign wheat in our warehouses. With a fixed duty, the whole of that might now be poured into the market. Would any gentleman—he did not appeal only to those who were acquainted with agriculture, but to any gentleman who had never been beyond the sound of Bow-bells—would any gentleman pretend that we now wanted this corn in the country? Every man must admit that we did not. During the last two years, Providence had blessed the farmers of this country with good harvests, and consequently foreign growth was not required, and, not being required, the law, wisely as he said, would not suffer it to come in and complete the ruin of the home-producer, already struggling with the utmost difficulty against the prices to which he was obliged to submit. The best reasoning was, in his opinion, always that which resorted to immediate practical proof. And he would ask the House, if it would not be worse than madness in them to be puzzling their brains with theories, and acting upon far-fetched subtleties when these facts were standing before their eyes? The law provided granaries to receive foreign corn in readiness if we should want it, so that if any thing should happen, like a deficient harvest, or any other cause of scarcity, to make a large demand upon foreign resources necessary, it was satisfactory to know that London had been made a dépôt from which the country could be supplied. Arrangements had been made by which the corn was warehoused on the banks of the river, where the corn lay as cheap or cheaper than in any other country, and was ready for every emergency. By this system, too, we had the additional advantage of becoming the carriers of corn, and employing our ships in taking it to other countries if it should not be wanted here. The right hon. Gentleman had told them, that by the departure from this system, great additional wealth was to be created, and the population of the towns doubled. He certainly was not disposed to undervalue the importance of commerce. He owed much to it, and was deeply sensible of the advantages it conferred upon a community. But, when the right hon. Gentleman talked of converting the rural population into new masses living in towns, he begged to say that that was not exactly the state of things which took his fancy. If he looked at what the hon. member for Oldham in some of his writings had aptly called the "great wen," certainly he could not join in those sanguine anticipations of the right hon. Gentleman. The population of London was already a million and a-half; and if this were to be doubled, he feared they should soon have certain practical illustrations of the change in such an interference with their debates as might not add much to the calmness and deliberation of their proceedings. If such a change were produced, he should regard it as a serious calamity to any country; but, above all, to a country situated as this was. Mr. Huskisson, upon the occasion to which he had already alluded, observed, that the greatest calamity which could befal the population was that of being dependent upon foreign countries for its food. But if that population came to be doubled, and at the same time its independent means of producing had been next to extinguished, what must be the extent of that calamity? But he doubted, that there would be any such increase in the manufacturing population resulting from such a change. They might succeed in bringing the farmer down to the earth, but not in raising the manufacturer to the height on which the imagination of the right hon. Gentleman had placed him. He would now pass to some observations of the right hon. Gentleman as to the condition of the farmer and the labourer, as it would be affected by this Motion. The right hon. Gentleman had described the claim to protection as a piece of covetousness on the part of the landlord, and the farmer and the labourer as having no interest in its maintenance. How that could be made out with regard to the farmer, he thought any Gentleman who mixed much with that class, and knew what their condition was, would be very much at a loss to understand. Was not his whole capital included in his stock and in his farming implements, and of what value could these be when his farm was no longer to be cultivated? He had no other resources to fall back upon. He wished the farmer had the Three-per-Cents to go to—but that was not the case; his all was in his stock and implements, and they were to be rendered valueless. And yet the farmer, it was said, had no interest in this question, which belonged exclusively to the proprietor. Why, the proprietor might get out of his difficulty in time, if not too deeply encumbered; but the poor farmer, with all his capital, must be the immediate sacrifice. But the misfortunes of the farmer were nothing. What was to be the state of the peasant? There was no gentleman in that House, whatever tone he might think the representation of large populations entitled him to hold, to whom he would concede the possession of one particle more anxiety for the condition of the great mass of the labouring people, which to him had always been the first consideration, than he felt. With regard to the power of the rural labourer to apply himself to manufacturing pursuits, that had been so admirably put by the right hon. Baronet, the First Lord of the Admiralty, on the previous night's debate, that he would say nothing upon that point. In fact, the shepherd could no more be turned into a manufacturer, than a manufacturer into a shepherd. The mistake of these philosophers was, if the right hon. Gentleman would excuse him for calling him a philosopher, and for adverting again to the theories of these gentlemen, that they were too apt to treat masses of men like a steam engine, which they could stop at a moment's notice, and set them on again as it suited their views. No sooner had they, in the process of their speculations, turned out 10,000 agricultural labourers from their work in cultivating the land, than, by a touch, as it were, of their harlequin's wand, the whole body were to be set down making nightcaps and scissors. He would assure the right hon. Gentleman that, however easy this might be in political economy, it was not in practice to be done. But even supposing these labourers were not all to be put to such occupations, what was to become of those who remained employed upon the cultivation of land? This was quite evident—that if they were to compete with the same description of labourers employed in producing corn in foreign countries, they must live the same. Now, without going extensively into the subject, he would appeal to the opinion of Mr. Jacob, as given in his work on this question. It was clear they must either leave the cultivation of corn altogether, or cultivate it as cheaply as the foreigner did, and if they did so, they must bring the labourer down to the same condition as his rival. It was, therefore, one of the most important points in the argument, to show what that condition was. He would undertake to say, that if there was any class in the country who would be brought to entire ruin by the alteration of these laws, it was the agricultural labourer. Mr. Jacob, in his evidence, being asked what was the food of the people in the countries from whence corn was exported, said, "I have been in every district, and never saw a loaf of wheaten bread in any place eastward of the Rhine. I have seen a roll of the size of my fist brought to table when an Englishman or any other foreigner was present, but the food of the people is a black rye bread." Why, in the part of Hampshire where he lived, the poor not only got good wheaten bread from their employers, such as they ate themselves, but the Magistrates forced the employers by law to provide it. And if they compelled the farmer to compete with the foreigner, he must feed his labourers in the same manner. Before they came to that, he was for making a struggle, and seeing if they could not go on as they were. When he said for making a struggle, he was far from admitting that the condition of our labouring poor was bad. On the contrary, he would confidently ask any impartial man acquainted with the different countries of the world, whether there was any other part of it in which he had seen the people in the enjoyment of so many comforts? He said, that this would be the result of viewing the English population in the mass. But if they took it by the test of actual consumption of any particular article, they would find the same results. That might be a sort of Custom-house way of deciding the point, but it was a good one. He would take an article between a necessary and a luxury — the article of sugar. If they looked at the consumption of sugar in this country, they would find that our population consumed as much sugar as the whole population of Europe put together. Why, was not this a proof that they were not arrived at a state of things calling upon the House to make a great change in our system such as this would be? He did not mean to say, that he would refuse all change or improvement where there might be room for it; but he would not abolish the system, and take in its place any substitute that might enter the brain of a theorist, because he chose to say that they were suffering from an evil which did not exist. He should trouble the House with a very few observations more—one of which would turn upon the mistakes which the theorists made with respect to their calculations of the manner in which the surplus agricultural labour would be absorbed by the manufacturing demands.

They had, in their view, omitted to mention, nor had they once taken into account the effect upon labour which was always produced by the passions of men, and by "the combinations which every now and then were formed amongst the workmen in the various trades and callings." His right hon. friend opposite (Sir J. Graham) had very happily illustrated this, by an example which he gave the House in the case of certain coopers, who had been enabled, by this system, to realise an income by mere manual labour much beyond that which was generally earned by that class of workmen. Now, he had no objection to see this or any other class of labourers in possession of any amount of income, provided they obtained it by fair means. Indeed, he most heartily echoed that sentiment of the King of France, who desired to see every subject of his with a chicken in the pot, and a crown in his pocket. But surely no person would desire to see combinations formed for the purpose of deterring others from having recourse to the same means of earning a livelihood, or for the purpose of extorting a higher rate of wages from the masters. Yet this was an elementary ingredient in the consideration of this question, for all the free-trade advocates say, that when so much land is driven out of cultivation by the admission of corn at a low duty, the displaced agricultural labourers can have recourse to manufacturers, who will be able to employ them, in consequence of the increased demand which will arise for their goods. Now he himself was able to give the House an instance of the extreme to which competition and combination was carried in the person of a poor blacksmith in the county which he had the honour to represent, who, he was anxious should become more expert in shoeing horses than he found him to be; for this purpose, he sent him up to London, to the master of a veterinary forge, to learn the practice of his art. The poor fellow stayed in London six weeks, and after that time he returned to the country, nothing improved in his manner of shoeing horses; and he explained the circumstance by informing him that when he went to the forge, the men who were there employed had gone in a body to their master, and had refused to work any longer for him if he suffered a stranger and an interloper to interfere with them. He only gave this as an instance of the extent to which combination amongst the artizans and manufacturing classes went, in interfering with the free circulation of labour; and yet, in the very teeth of such examples, the theoretical advocates for an abolition of the Corn-laws would throw an immense population of agricultural labourers out of work, who, being unable to get it elsewhere, must, of necessity, fall upon the agricultural parishes for relief; and the poor half-ruined farmers who had scarce sufficient for their own wants, would have, in addition to their heavy burthens, to submit to the legal obligation of supporting these labourers — He had only one further observation to make, and that was upon the question which had been so often mooted as to whether the duty ought to be a fixed duty, or a fluctuating one. He had listened with extreme attention to every speech which had fallen from the free-trade theorists, and, he must now confess that he was totally at a loss to know by what arguments they supported their opinions in favour of a fixed duty; nor had he, though he had watched every sentence most carefully, been able to discover any proof that the change they desired to effect was desirable. The question of protection, or no protection, to the landholder, he could understand; and he could also understand the application of the theory of free trade to the trade in corn; and although he must confess that he thought they carried it too far in this case, he acknowledged they were perfectly intelligible; but, on the other point—namely, the advocacy of a fixed duty—he declared that he had never comprehended the policy of it, nor the reason for it, nor had any satisfactory explanation been afforded him. The present system of Corn-laws worked well, and had done so ever since they were passed, and that was all that could be desired. The right hon. Gentleman opposite (Mr. P. Thomson) had disputed the fact; but the arguments of the right hon. Gentleman in support of his opinion had certainly not carried conviction to his mind, and he would refer the right hon. Gentleman to the returns for the last six years, by which he would find that the average showed that a much steadier price had existed in the corn market than could be shown under any former series, under the old system. Nay, more, every gentleman who gave evidence before the Committee acknowledged the same fact. By the present system a steady market was maintained, at least as steady as the nature of the article admitted. But if any person should, in reply to him, assert that great variations had been known in the price of corn at certain unequally returning periods, he, in answer, must say, that such a circumstance was incidental to the very nature of the article itself; it was a perishable article; and, in all times, in every nation, its price had undergone extraordinary fluctuations, owing to this very circumstance alone; and if the right hon. Gentleman opposite pretended to say, that the system which he would substitute would change all this, he feared he was hunting for the philosopher's stone which he would never find. Mr. Jacob, in his Report, said, that in the year 1832, corn in France was 85*s.* a quarter, whilst in England it was only 70*s.* So that it was evident, that other countries besides Great Britain were subject to high-price bread. He repeated—nor did he think he could repeat it too often—that the present system of Corn-laws gave not only steady prices, but it also kept them down much lower than they ever had been under any former system. He now would only apologise to the House, and express his thanks for the attention with which they had honoured him—and he would conclude, by saying, that if the country should be so unfortunate as to listen to the mad project of the theorists on the subject of their food, all he hoped was, that they would adopt the plan at once, and have the trial over in as short a time as possible; and, above all, he hoped that the House would never consent to expose the agriculturists to the hon. Gentleman's ruinous plan—the most ruinous, he would say, of all that had ever been proposed—of squeezing them from a duty of 10*s.* down to nothing—for, of all the horrible conditions in which it was possible to place that unhappy class of people, the agriculturists and landholders, the state of the success of the hon. Member's Motion would be the most horrible; and he could compare it to no other than that of a person who, having dislocated his limb, was daily tortured by an ignorant surgeon, forcing his joint, little by little, back into its place every day, giving him fresh agony with every operation. They had already had one pretty convincing proof of the misery incurred in passing gradually from one state of things to another totally different. The last fifteen years' experience of the changes in the currency had given them a taste of this gradual working, and they had now surmounted that, and, thank God, got to a better state of things; but, having once undergone that ordeal, he most fervently hoped that the country would never listen to any plan by which they would be forced to endure such protracted torture as would be the inevitable result of their assenting to the proposal of the hon. member for Middlesex.

Mr. *Fryer* said, he had heard with sorrow and pain the speech of the hon. Gentleman who had just sat down. The question before the House was one deeply affecting the happiness of the people, and yet the hon. Member had treated it with derision.

Mr. *Baring* felt himself entitled, when such an accusation was brought against him before that House, to call upon the hon. Member who made it to state what expression he had made use of to bear him out in making such a charge.

Mr. *Fryer* said, he could not recall the particular words of the hon. Member. It was the general tenor of the hon. Member's speech, which left the impression upon his mind, that it was couched in terms of derision. The fact was, that the object of the present resistance to the Motion of the hon. member for Middlesex was, to raise the price of food by protecting the present enormous rents obtained by the landholders, and he could only declare, that if the Motion of the hon. Member were not carried, he should, on some future day, bring forward a Bill for the total repeal of the Corn-laws.

Mr. *Wolryche Whitmore* said, that after the able speeches which had passed on both sides on the present occasion, he should trespass for a very short time on the attention of the House, and even, were he mentally so disposed, his bodily indisposition would interfere to prevent him. Being, however, the representative of a very large constituency, he might, perhaps, be excused for presuming to offer his sentiments upon the subject of the Corn-laws. He appeared there, not in the character of a philosopher, for to that he had no claim, but, as a farmer and a country gentleman, and as such he had no hesitation in avowing, that he concurred in no shape whatever in the doctrines maintained by the hon. member for Essex, nor did he believe that such an alteration in the Corn-laws as would allow of the introduction of corn at all times on payment of a certain and fixed duty would prove either injurious to the agriculturists, or to the landed interests. It was his impression, from the earliest period at which he had devoted his attention to the subject, that the present system, as a protective system, was a fallacy; and the experience of every year, as well as the closest observation of the working of that system, only convinced him the more that he was right, and confirmed him in his view of the subject. That system professed to keep up the price of corn; but did it really effect its object? He denied that it did. He allowed that, in times of scarcity and of a deficiency in the crops, the present Corn-laws might secure a high price for corn; but the very moment a plentiful crop comes, the system fails as far as the maintenance of high prices was concerned. What was the case in the year 1822? An enormously high price was obtained for corn in the year 1817, in consequence of the failure and deficiency in the crops of 1816. These prices continued through the years 1818 and 1819; but look at them in the year 1820, when an abundant crop caused them to fall, until they came, in the year 1822, to the lowest price at which they had been known for a space of fifty years, the price of wheat being in that year only 38*s.* a quarter. Now, let him ask, did not the agriculturists suffer during the period of low prices? and even now, when the prices which, owing to deficiencies in the crops during the years 1828, 1829, and 1830, had gradually risen, were, and had been declining during the last three years, until the price of wheat was 48*s.*, and was likely to fall still lower? With two such examples before them, was he not justified in saying, that there was sufficient proof afforded by them of the truth of his assertion, that it was impossible, under the present system of Corn-laws, to maintain high prices, except in seasons of scarcity and famine? In fact, the Corn-laws, ever since the year 1815, had aimed at an impossibility; for they aimed at establishing a monopoly, whilst they did not go to the root of the matter by imposing an entire restriction on importation. He wanted to establish a monopoly price without limiting the quantity. Perhaps the House would suffer him to state to them what he considered was a just picture of the results of removing the restriction which now existed on the import of corn. In the first place, he was not one of those who considered, that the alteration of the present law, and the imposition of a certain fixed duty, moderate in comparison with the present duty—such a duty as that which he proposed last year, a duty of 10*s.*,—that the price of corn would, in ordinary seasons, fall below from 50*s.* to 53*s.*; and he did not think that any system would be able to maintain a higher price than that, except in the years of considerable deficiency. But when years of deficiency occurred under the system which he proposed, he was satisfied, that the farmer would be indemnified by a rise in price proportionate to the deficiency of crop. At that late hour he would not trouble the House with any details, but would simply state, that the Dantzic prices had varied exactly as the English ports had been opened or closed to the admission of foreign corn—being very low when the ports were closed, and very high when the ports were open. For instance, in the year 1820, the price of wheat was 31*s.* a quarter, and it got gradually lower until the year 1826, when it was only 17*s.* a quarter, being absolutely a drug. But suddenly, in the years 1828, 1829, and 1830, when owing to a scarcity here, the ports were open, it rose to 50*s.*; but the circumstances on which he most relied in coming to the conclusion, that the price of corn would never be higher than 52*s.* a quarter, if a certain duty of 10*s.* were imposed on its import, was that from the year 1791 down to the year 1825, the average price of corn in Dantzic was not higher than 45*s.* 11*d.*; and if from these years we were to deduct the years of scarcity, during which the price of corn had risen to an enormous height, the average price would be found to be only 33*s.* 6*d.* Now, add to this the cost of freight and other incidental expenses on its transmission and warehousing in this country, as well as a reasonable profit to the merchants,—estimating all these at 10*s.* a quarter, the price would only be from 43*s.* to 44*s.*; and if to this the fixed duty, which he proposed, of 10*s.*, were added, the whole would not be more than the price which he had named, as that likely to be the highest. He was aware that the subject was a dry one, and he knew that the attention of the House must be fatigued; but he hoped that hon. Members would extend to him some portion of indulgence in the execution of the thankless office he had undertaken. The hon. member for Essex had contended, that the greatest injury would result from the adoption of a fixed duty, and that the labourers of this country would be reduced to the same state, and forced to eat the same kind of food, with the serfs of Poland. He thought, that if no immediate injury was inflicted on the farmer by this alteration, it was but fair to infer, that no prospective loss would be entailed upon him. The views of the hon. member for Essex went to stint the wealth and population of England. The hon. Member seemed to fear any change in the manner and extent of cultivating the soil; but if, as the right hon. Gentleman stated, prices would not be seriously affected by a fixed duty, the only change in cultivation would be, that it would pay better, and thus a change might be made with advantage to the agriculturist. In another, though a less direct way, the agricultural interests would be materially benefited, when the vast resources of England were fully brought into play, and developed, as we had power to develop them; and when the commercial and manufacturing strength of the country was restored, they would be materially benefited by an increased demand for their produce. Again, the reduction of taxation consequent on the abolition of the present Corn-laws would indemnify the farmer for any trifling loss which he might at the outset sustain. This was one of the reasons by which he was urged to advocate the change; and if those further changes were effected which the noble Lord (the Chancellor of the Exchequer) had alluded to, and the Poor-laws—that incubus which pressed upon the land and ate it bodily up—were revised, he was persuaded that little was to be feared from any increase in the population; but that agriculture would prosper, and rents would increase in the same ratio as they had recently decreased. He would only trespass further on the time of the House, whilst he stated, that he recognised the principle of a universal free trade. Nor did he see why any impediment should be placed to free trade in corn; but he did not concur with the hon. member for Middlesex, if he meant to say, it was desirable that a change in the rate of duty on corn should occur from year to year, until it was wholly abolished. Why he voted with him on the present Motion was, because he understood it to affirm the principle, that the duty on corn ought to be fixed at a low rate; and that being the case, he unhesitatingly supported the Motion.

Lord *Althorp* wished merely to state the grounds on which he should give his own vote. He should meet the Motion of the hon. member for Middlesex by a direct negative. He believed he need not state to those who had done him the honour to listen to his opinions, that his own sentiments were favourable to an alteration in the existing system, although his views of the alteration were not quite so extensive as those entertained by the hon. Member. But this was not a question merely theoretical; there were many circumstances connected with the question to which due weight must be given, before any man could determine what line of conduct he should pursue on this occasion. Now, he did not see that there was any present exigency which demanded any immediate change, nor did he perceive any near prospect of such an exigency; while, on the other hand, it was well known that great distress existed among the agricultural part of the population, and that distress would certainly be aggravated by any such measure as that now proposed, if it were only by the great alarm which it would occasion. The condition of the commercial and manufacturing interests was greatly improved, and under these circumstances it would be most unjust to benefit the latter at the expense of the former. He had lately had an opportunity, while looking over some annuity tables, calculated on as many as 4,000,000 lives, of examining the comparative mortality in this country, both at the present and in past times, and in other countries; and he found that not only was the average mortality much decreased in this country of late, but that, as compared with other countries, the inhabitants of Great Britain had considerably the advantage. This was a sufficient proof that the situation of the general mass of the population was very much bettered. Looking at the circumstances to which he had before referred, he must say, that it was not merely necessary to see whether a measure could be commenced, but also whether it could be carried through. He should therefore give the Motion his decided opposition, although against his theoretical opinion, as often expressed in that House, of the policy of some such measure. He must, however, take notice of a charge of inconsistency brought against the Government by the hon. member for Essex, who referred to an answer given by him to the hon. member for Lincoln (Mr. Handley) on the first night of the Session. He had stated, that it was not the intention of the Government, as a Government, to introduce any measure for the alteration of the Corn-laws, and that the Government, as a Government, would not support any such measure if introduced. Of course, he need not say, that they had not given their sanction to the Motion brought forward by the hon. member for Middlesex, and he believed that every Cabinet Minister would vote against it. There were certainly some members of the Government whose opinions on the subject were so well known, that it was felt impossible to ask them to vote against the Motion of the hon. Member; but they would vote as individual Members of that House, and not as members of the Government. Having made this explanation, he would no longer occupy the time of the House, as he had not risen to answer any Gentleman who had spoken on either side. He should not attempt to answer those with whom he theoretically agreed, and of course he should not answer those with whom he was to vote.

Mr. *Henry Handley* bore testimony to the correctness with which the noble Lord had repeated the answer he gave to the question put by him. But, in 1822, a year of parallel distress with the present, the noble Lord, when on the Opposition side of the House, said, that the only remedy for the distress of the farmer was to be found in a diminution of taxation; still, when the noble Lord was, upon a recent occasion, called upon to make a small reduction in the duties imposed upon agriculturists, he refused to do so, and this, although he was at the same time determined to grant a boon to another interest. He would beg to tender to the right hon. Baronet (Sir James Graham) his best thanks for having anticipated him; and he should think those who concurred with him, in putting forward every argument which could bear upon the subject, and in coming forward manfully as the champion of a cause which he had so much at heart, and which he supported with such admirable ability. He was happy to leave the cause in his (Sir James Graham's) hands, and from the impression which the right hon. Baronet's speech had evidently made upon the House, he had no doubt of the result.

Mr. *Cutlar Fergusson* thought it was important that they should distinctly understand the question upon which they were to vote. The hon. member for Middlesex, according to a common, if not a very correct or convenient course of parliamentary tactics, particularly practised of late, had made a different Motion from that of which he gave notice. His notice was, that he would move for a Committee to consider of the Corn-laws, and of the propriety of substituting, instead of the present graduated scale, a fixed duty, with the ultimate view of establishing a free trade in corn. This last most important part of his notice he had left out of his Motion, no doubt, hoping to get a few more votes. He trusted, that no Member of this House, who did not agree with the hon. member for Middlesex in his opinion as to a free trade in corn, would be induced to go into the proposed Committee; for they might depend upon it that, in the event of success, the hon. member for Middlesex, or some one of his supporters, would next Session move for the abolition of his own graduated scale of decreasing duty, in order at once to have a free trade in corn, without duty, and without restriction. On former occasions, he had asked the hon. member for Middlesex to agree with himself, and with those who supported him, as to the exact object he had in view. He had still to make the same request; for it appeared, that in respect to what would be the result of this proposition, if adopted, the hon. Member did not agree with himself, nor had any two of his supporters agreed with each other. They could not agree upon this most important point, whether the proposition, if adopted, would cause the price to fall, to remain stationary, or to rise? In the first part of his speech, the hon. member for Middlesex said, that it would cause the prices of corn to fall, and that we could not have a reduction in the price of manufacturing produce without a reduction in the price of labour, consequent on a fall in the price of corn. In a subsequent part of his speech, however, the hon. Member said, that the adoption of his proposition would occasion no alteration whatever in the prices now obtained. Surely so important a point ought to be settled before they made this fearful experiment, which might destroy the agricultural interest for ever, without bringing relief to any class, or to any individual in the nation. If no reduction was to take place in the price of bread, what became of the cheap-loaf cry? What became of the harangues made on this subject? What would those persons say who had got their seats in that House by promising to get the people cheap bread, by the total abolition of the monopoly of the landlords. "Abolish this monopoly—the odious and detestable monopoly, — and you will have cheap food," was the language held from one end of the country to the other, at the last general election; and it now turned out, according to the opinion of the right hon. the Vice-President of the Board of Trade, who supported the Motion, that the repeal of the Corn-laws would leave the price of corn as it was. Would the House, then, upon the vague speculation of the right hon. Gentleman, —that, by adopting the principle of this Motion, the sale of a larger quantity of manufactured goods might be effected on foreign countries,—run the risk of sacrificing that interest which had always been held to be the main stay and support of the country?—would they sacrifice the agricultural interest—including the landlord, the farmer, and the labourer? In order to obtain the extension of the market for manufactured goods of which the right hon. Gentleman spoke, we must not merely take from abroad our present supply of corn, but a further and additional supply; and any such addition to the quantity of foreign corn imported must be so much profit and so much employment taken out of the hands of the British agricultural classes, to be given to the landholders and the serfs of Russia. It was clear, that every quarter of wheat now produced in England, and which was to be produced, in future, in foreign countries,—that every acre of land now under tillage, which was, in future, to be left uncultivated, must so far deprive of work the agricultural labourer of England; and how would the political economist provide for the agricultural population thus thrown out of employment? The right hon. Gentleman objected to the phrase "political economists," but there was a want of a phrase by which to designate the right hon. Gentleman and his friends. The political economists said, that they would provide for the agricultural labourers on the principle of absorption. But into what class could they be absorbed? Was it into that of the hand-loom weavers, who had not the means of earning bread? There was no employment for the agricultural labourer, save that which he exercised at present;—and, beyond all question, every agricultural labourer thrown out of employment must go upon the Poor-rates, and that, too, when from the operation of the same cause, those who chiefly contribute to the Poor-rates, will be deprived of the means of supporting them. There was one point brought forward by the right hon. the First Lord of the Admiralty, which had not had that importance attached to it which it deserved—he alluded to the danger of dependence for food upon foreign Powers, a point of vital importance in this question. The right hon. the Vice-President of the Board of Trade said, in answer, that we were dependent upon them already. No doubt, we incurred that danger to some extent at present; but was that a reason why we should increase the danger? The fact of our being now partially dependent upon foreigners was an additional reason against giving any further spur to the importation of foreign corn. At least arrest the evil, if it could not be remedied. The name of Mr. Huskisson had been mentioned in this Debate; and his authority in favour of the existing Corn-law had been questioned by a friend, not only on the faith of an alleged change of opinion of Mr. Huskisson at a period subsequent to the time of his addressing the letter to his constituents, but also on the motives which might then have actuated him. The liberty which the right hon. the Vice-President of the Board of Trade had taken with the memory of a deceased friend was not to be wondered at, when the right hon. Gentleman treated a living friend sitting near him in the same manner. He did not judge of the etiquette to be observed between friends sitting on the same bench on this open question; but, in the course of this Debate, he had heard as hostile attacks made upon friends as ever were made by enemies; for no Gentleman sitting could say more to an opponent, than "I will not only attack your argument, but will prove your inconsistency, by quoting your writings against yourself." There was not the slightest doubt that the pamphlet which the right hon. Gentleman reserved to crown the efforts of the day, was a publication which he threw in the face of his friend, saying, "This is what you professed formerly,—see what you profess to-day." As his right hon. friend would not, perhaps, find another open question for some days, he seemed determined to make the most of the opportunity. With respect to the late Mr. Huskisson, the right hon. Gentleman had referred to a speech of Mr. Huskisson, made in March, 1830, on the Motion of the right hon. Gentleman, for a revision of the whole system of our taxation. Mr. Huskisson was favourable to the inquiry proposed by his right hon. friend; and was reported to have said, that the Corn-laws could not be maintained together with the taxation, as it then existed. But he could venture to assert, that Mr. Huskisson never retracted his opinion, "that whatever arrangement was made with respect to the Corn-laws, we must take care not to put ourselves in the power of foreigners." He was intimately acquainted with Mr. Huskisson's sentiments on these subjects, and knew, that to the last, it was his opinion, that a great country like this should not be subject to foreign powers in the article of food. Mr. Canning's first Bill for a graduated scale of duties, it was well known, was Mr. Huskisson's Bill; and he would, certainly, rather have retained it, as it passed the Commons, than in the shape in which it was afterwards brought forward, in consequence of the Amendment of the Duke of Wellington in the House of Lords; but the amended Bill, in principle, did not differ from Mr. Canning's Bill, and was, in fact, also supported by Mr. Huskisson himself. Mr. Huskisson's opinion on the matter must be taken, not from a speech on taxation, in which the Corn-laws were incidentally mentioned,—and in which speech, however, he found no contradiction of the former opinion,—but, in justice to him, they should look for his opinions in the course of debates, in which the very subject of the Corn-laws was the question directly before the House. Now, on the 18th of June, 1827, in the debate on the Corn-law which had been substituted for that of Mr. Canning, twelve years after he had addressed the letter to his constituents, he used this language:—'It 'had been quoted against him, that he 'had held that England ought not too 'largely and too frequently to depend 'upon other countries for its supply of 'corn. He maintained that doctrine in 'the year 1815; he held it now, and 'thought nothing so dangerous to this 'country, as to rely too largely and too frequently on foreign countries for supplies 'of corn. He wished to make this country 'independent of the foreigner commercially, as well as politically. The Committee might be assured, that so long as 'it was the interest of foreigners to produce distress, or cause us political discomfiture, they would endeavour unweariyingly to do so.'* Such were Mr. Huskisson's opinions as to the disposition of foreign Powers towards us; and how completely they were borne out by facts throughout the whole of Europe, was quite evident. The right hon. Gentleman said, "Admit the corn of foreigners, and they will receive your manufactures.' So it was said with regard to a State which did not want to send us corn, but wine, and in reference to which it was said, that if we would change our policy towards her, by receiving her produce on more favourable terms, she would deal more liberally towards us in respect to the duties on our manufactures. We lowered the duty on French wines; but what had we got by it? Not a single concession was made, or proposed to be made, and our manufactures would continue to be wholly excluded from the market of France as before. In the same way it was said, that, by taking the corn of Prussia and her confederates, we might procure a change of policy on the part of that Power, and of the other German States which had joined in the combination against us. Perhaps the noble Lord, the Secretary of State for Foreign Affairs, might be in possession of official communications from the Prussian minister, expressing the readiness of Prussia to take our manufactures if we would take Prussian corn; but the noble Lord was silent upon the subject, and the right hon. Gentleman only stated it on the authority of the *Allgemeine Zeitung*. It might be a convenient reason to give, in the newspapers, that Prussia could not admit our manufactures, because we did not receive her corn; but the real reason was, that she wished to rear a manufacturing interest of her own. She believed that it was by such a course that we reared our manufactures, and brought them to the perfection they had attained, and in which they were still protected by our policy. With the same view France protected her own manufactures, and excluded ours. Russia and America had the same desire to raise a manufacturing interest; and whatever foreign political economists might say in their communications with us, such were the real political grounds on which the States to which they belonged acted, and seemed determined to act on. To return to the danger of the dependance on foreign Powers for a supply of corn, he found that in the year 1832, exclusive of the produce of our colonies, we imported 3,270,000 quarters of corn of all descriptions. Of this quantity, we received from Russia, 937,000 quarters; from Prussia, 481,000 quarters; and from the rest of Germany, 395,000 quarters. Thus, from those Powers which were in league to check and harass the manufactures and trade of England in every possible way, she received about three-fifths of the total quantity of corn imported from abroad. This was an important fact; for it showed on what States we should have to depend, to a much greater extent than at present, for our supply of food, if there were a free trade in corn. America was at too great a distance, and the expense of producing was there too great, to enable her to furnish us with corn on equal terms with the countries he had mentioned, or to induce her to cultivate the land with a view to supply our market; so that England would have to trust for her supply of food chiefly to Russia and Prussia, and the states which must obey those great Powers. The result would be, that the supplies of food might be stopped by ukase, or edict, in one day, and the country reduced to famine. It was true, that the interest of those States would suffer for a time, but they would make the sacrifice, if their object were to strike a great and decisive blow at England. Independently of this, there was the danger of scarcity in the countries that might be expected to supply us, and it was not to be supposed that they would, in such a case, administer to our wants in place of their own. He would, at that period of the debate, abstain from pursuing the subject further, being sensible of the indulgence already shown him. Had he spoken at an earlier period of the debate, he should have been induced to have gone somewhat at large into the whole question, and to have considered, particularly, whether a graduated scale, or a fixed duty, was to be preferred upon principle. He would content himself with saying, that having long occupied his thoughts with this subject, however ineffectually, he had brought his mind to the conviction, that a graduated scale was that which best suited us—that it accommodated itself best, and with the least pressure to the wants and necessities of the producer as well as the consumer—that it gave protection to the one where protection was required—that it secured to the other, better than any other system, a supply at moderate and steady prices, and relieved him in cases of excessive prices, when the duty ceased altogether. To the fixed duty, the objection, that it could not be levied in extreme cases, had never yet been answered; and, if they were to have recourse to Orders in Council, there was an end of legislation, and the security of the agriculturist would depend not upon the law, but on the pleasure of the Ministers of the Crown. The duties on the graduated scale affording protection to the agriculturist when he most wanted it, and when the people could, without inconvenience, dispense with the supply of foreign corn, gave way by degrees, till they vanished altogether, as the wants of the people became urgent; whereas, a fixed duty could not bend to circumstances, and there was no remedy for its oppression in times of scarcity, but an act of arbitrary power, which, by a sudden opening of the ports, would cause, at once, such an influx of foreign corn, and produce such a glut in the market, as would be fatal to the agriculturist, whose ruin, he was satisfied, would, without benefit to any other class, be speedily brought about by the adoption of the proposition of the hon. member for Middlesex.

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* Hansard (new series) xvii. p. 1335.

Mr. *Poulett Thomson* observed, in explanation, that he had not said the pamphlet alluded to by him was the production of the right hon. Baronet.

Mr. *Cutlar Fergusson* had not attributed that to the right hon. Gentleman.

He had only remarked, that everybody knew it was the production of the right hon. Baronet.

Mr. *Brotherton* said, that, as the Representative of a large manufacturing constituency, he should declare his opinion that the Corn-laws were not consistent with policy or justice. It was said, by an eminent writer, that "what was morally wrong could not be politically right." There could be no good in preventing men from going to whatever market they liked for food. It was said, that we ought not to depend on foreign nations for food. But did we not depend on them for cotton and other commodities, which were to us the source of so much wealth? There should be reciprocity, not only between individuals, but between States, for that was the only basis of advantage. The question before the House was one between the Aristocracy and the people at large. The people demanded relief, and the Aristocracy refused it. The agriculturists were in distress, but a wrong notion of the cause of that distress prevailed. He would make a few tabular statements to the House, in order to enable it to form some estimate of the nature and working of the Corn-laws. The average price of the quartern loaf, from 1790 to 1800, was 8*d.*; from 1800 to 1812, 14*d.* Thus, the 6*d.* advance on the loaf made, during that period, a difference, taking the population at 16,000,000, of 37,000,000*l.* In 1793, the rates were 2,000,000*l.*; in 1812 they were 6,000,000*l.*; but then the quartern loaf was 16*d.* Now the rates were above 6,000,000*l.*, with a debt of 800,000,000*l.*, while the loaf was 8*d.* The farmers, therefore, were worse off than they were in 1793; for now the price of the loaf was the same as it was then, and their rent was double. The rents in 1792 were different, as were the debts, from what they were at present. At the commencement of the war the landlords pledged themselves to defray the debts they incurred to support that war, which was chiefly urged on by their persuasion, and involved the commercial classes in the same obligations and difficulties with themselves; but to the present hour they had not paid one penny.

Sir *George Phillips* said, it was the opinion of his constituents, to which he was bound to defer, that the present laws should not be disturbed until their operation had been fully and fairly tried. The landed interest, he admitted, was entitled to that protection which Mr. Ricardo had pointed out; and that, unless such protection were given, in proportion to the burthens which pressed exclusively upon that interest, great injustice would be done to them. The proposition of the hon. member for Middlesex did not imply such protection. He could not, therefore, assent to it. It would be impossible for the Representatives of agricultural districts to persuade their constituents that, in voting for the Motion of the hon. member for Middlesex, they were not opposed to a protecting duty of every kind.

Mr. *Duncombe*, denied that the Corn-laws had been established for the purpose of benefiting the landlord at the expense of the other classes of the community; and he was fully prepared to contend, that they had answered all the objects for which they had been framed. What were those objects? They were to secure to the country an adequate supply of corn at a moderate, fair, even, and steady price; and also to give to an important and large body of labourers employment. There was but one other observation he was desirous of addressing to the House, especially considering the labours of the House, and the length to which the debate had been carried. He defied any person to show that, under the existing Corn-laws, there had been any, even the smallest, want of supply, or that there had been any material fluctuation in prices, as compared with what had occurred under any other system. It was unnecessary for him to go into any detail whatever in support of those assertions, for they had been most fully substantiated by the statistics quoted by the right hon. Baronet, the First Lord of the Admiralty. But not only had the laws answered the purposes to which he had alluded, but they were also just and necessary for the due protection of the agriculturists. Every person at all acquainted with the details of agriculture must know, that the prices under the existing law had not given at all an undue advantage to the landed interest. The average price of corn last year was 53*s.* per quarter; and no person could say that that was more than a bare remunerating price to the grower. Since last year the prices had materially fallen; and, therefore, to talk of further reducing them, and that by legislation, was to talk of committing an act of complete injustice. He had the honour of representing a large agricultural district; and he certainly felt deeply anxious for its welfare; but when the present Corn-law was proposed, he was the Representative of a manufacturing district, and he could, with justice, say, that his views had undergone no alteration. He must state, too, that while he represented a manufacturing district, he was in frequent communication with his constituents, and that he ever found them anxious not to injure, or to sacrifice, the agricultural body, but to afford them that protection to which they were justly entitled. At the period when the present Corn-law was enacted, he might truly say, he occupied a position of strict impartiality. He had acted in that spirit in the support he had given to it; and, as experience had fully justified that support, it should not now be withdrawn.

Viscount *Palmerston* assured the House that, in rising at that late period in the debate, it was not his intention to detain them by any lengthened remarks. He was not going into the Prussian tariff, or into the new regulations of the French customs; but he was anxious that the opinion which he was about to express by his vote should not be misunderstood. He would, therefore, simply state that opinion, without, at that hour, obtruding the reasons on which it was founded. If he understood the Motion as it was first framed by the hon. member for Middlesex —that was, to introduce a free trade in corn—he would certainly have opposed it, as he considered that such a proposition, if carried, would be attended with most prejudicial effects; but viewing the Motion then before the House as one which went only to the consideration of what was the amount of the protecting duty, with a view to its gradual diminution, he concurred with his noble friend, the Chancellor of the Exchequer. He did not see any objection to such a proposition in the abstract; for he agreed with his noble friend that such diminution, if gradual, and did not come down to too low a scale, would not be injurious to the agricultural interest, or occasion any great reduction in the price of corn. Looking, however, to the present circumstances of the country, and seeing, that under the present Corn-laws the supply was ample and the prices steady; and seeing, moreover, the distress which pressed upon the agricultural classes, he did think that to carry such a resolution as that now proposed by the hon. member for Middlesex was not advisable at present. Having said this, he must add, that he should prefer the introduction of a Bill, rather than such a Resolution as the hon. Member proposed, for a Bill would be at once tangible, while the Resolution would lead to inquiry, which would occupy time, and leave the public mind in great doubt and uncertainty as to the result. He would, therefore, join with his noble friend, the Chancellor of the Exchequer, and oppose the present Motion.

Viscount *Howick* said, that he would not have taken any share in the Debate but for the remark of an hon. Baronet (Sir G. Phillips), who had said, that the Representatives of agricultural districts would find it difficult to persuade their constituents that, in voting for this Motion, they were not opposed to all protecting duties. Now, as he was, perhaps, the only Representative of a purely agricultural district who would vote for the Motion of the hon. member for Middlesex, he felt it necessary to state, that he gave his support to the Motion, but without concurring in the speech by which it was introduced. He would vote for the Motion which had been placed in the hands of the Speaker, because he was favourable to a fixed duty instead of a fluctuating duty. He had voted in 1828 for the same principle, because he felt that duties which, in their nature, were fluctuating were most injurious to the agricultural interest. When he saw the distress in which the agriculturists were involved, and when he heard of the prosperity of the other classes, he could not come to any other conclusion than that the present fluctuating duties were the millstone which hung round their necks. On this ground he would vote for the Motion of the hon. member for Middlesex. He felt convinced that a fixed duty would bring more money to the Treasury, and would enable his noble friend, the Chancellor of the Exchequer, to take off some of the burthens which now pressed upon the agricultural classes without affording relief to any other classes.

Mr. *Benett* rose to repeat what he had said on a former night, and what, after the diversity of opinion he had heard on this subject, he was more and more convinced of—that the only security for the country was a great reduction of the taxation which now pressed it down. He did not stand there as the advocate of the landed interest but of the labourers; and he would never support a measure which would make the inhabitants of the country as decrepid and sallow as those of our manufacturing towns.

Mr. *Hume* rose to reply. He could assure the House that, after the indulgence which had been shown him in opening the debate he should feel it his duty not to trespass long in reply. He must however, observe that the Government appeared to him to stand in a very extraordinary position. They had a Cabinet which, as far as he could learn, in a great degree coincided with the proposition which he had made, and yet which was not prepared to come forward and vote for it. The members of the Government, it appeared, were left at liberty to vote on the question as they individually pleased. In fact, this question was, as the Roman Catholic question had formerly been, an open question. Now, he should say, that if ever there was a question which a Government was bound to take in hand, this question was that one. He must say, that the Government had deserted their duty in thus treating the subject. It was true he had the support of some of the Ministers, and he thanked them for it. It was also true, that some of the Ministers had supported the Motion by their arguments, though by their votes they intended to oppose it. The noble Lord (Palmerston), for instance, had reasoned one way, and would vote the other. Then there was an hon. Baronet (Sir G. Phillips) who had argued for the proposition, but meant to vote against it out of deference to those who sent him to that House. Really there was no dealing with such conduct. He thought the noble Lord (Lord Althorp) had not done well in meeting the Motion with a direct negative. He must say, that that course could not by possibility be in accordance with the sentiments of the noble Lord, judging those sentiments from the language which that noble Lord had used on more than one occasion during the present Session. From the commencement made by his hon. friend (the member for Kirkcudbright) he had fully expected to have been demolished. His hon. friend had spoken loudly and long; but it had happened, as he had frequently found it, that those who talked most effected the least. [" *Hear, hear," and laughter.*] He was addressing himself to his hon. friend, and not to those hon. Members who interrupted him. He (Mr. Hume) had pledged himself that if any hon. Member could show, that the landed interest was peculiarly taxed more than the other interests, he would at once forego his Motion, and vote for the maintenance of the present protection. He had fully expected that his hon. friend would enter upon the task, for he was a man of many promises; but he had done no such thing. [Mr. *Cutlar Fergusson*: The First Lord of the Admiralty had.] The right hon. Baronet had done nothing of the sort. In fact the whole of the speech of the right hon. Baronet was answered by his previous pamphlet.

Sir *James Graham* rose to explain. It was proper that he should set his hon. friend right upon the point to which he had alluded, especially as similar allusions had been made by his right hon. friend the Vice-President of the Board of Trade. The pamphlet to which allusion had been made was really the work of a Cumberland yeoman. It was not written by him (Sir J. Graham), but he had assisted in its publication. He certainly was not responsible for its arguments or its statements.

Mr. *Hume* said: Well then, the speech the right hon. Baronet had delivered last night, had found an answer in the pamphlet of the Cumberland yeoman, to which pamphlet the right hon. Baronet had contributed. There was therefore, but one point in the able and eloquent speech of the right hon. Baronet to which he felt it necessary particularly to advert, for that speech was a mere string of fallacies, not more applicable to the Corn-laws than were any of the fallacies in the book of fallacies published by Jeremy Bentham. The point to which he alluded was this: The right hon. Baronet had said, that the landed aristocracy were a great and important body. They were so, and he (Mr. Hume) wished to see them wealthy and respected. But the right hon. Baronet had told the House that they were in difficulties—that they were encumbered with debts, settlements, and mortgages, and that they must have protection or be destroyed; which meant, that for the support of the landed aristocracy the rest of the community must be taxed. That was his explanation; and he knew of none other that could by possibility be given. High prices were to be maintained in order that high rents might be continued, and high rents in order that the landed proprietors might have large incomes; which was, that one class of the people might be supported to the injury of the rest. If Government acted upon that principle—and he was sorry to say that from what had occurred he found it would, it would adopt a most erroneous course. The hon. member for Essex had called him a philosopher. ["*No, no.*"] The hon. Member had spoken of philosophers and political economists, and of the hon. member for Middlesex so completely in connexion, that it was impossible for the listener not to associate them together. Now, he should like to know what a philosopher was. Really when a Member had been attacked, the House usually had the courtesy to admit of a reply. But he would not follow the example too frequently acted upon, and quarrel about words; nor would he go into any long examination of the speech of the hon. member for Essex. He would prefer refuting the hon. Member's speech on this occasion by quoting another speech upon the same subject which had been delivered by that hon. Member, and leave the one speech to answer the other. The speech to which he alluded, had been delivered by Mr. Alexander Baring on the 27th of February, 1815. The hon. member for Essex this evening denied that the Corn-laws were continued for the benefit of the landowners, and he boldly asserted, that the farmers and agricultural labourers were the chief persons interested; but on the 27th of February, in that year, Mr. Baring said. 'That the labourers in agri- 'culture had no interest in the present 'question. He believed the prevailing 'sentiment among the tenantry was, that 'this was the landlords' affair, and not 'theirs, for they could only pay to him 'what they could afford, after defraying 'other expenses. But to talk of the la- 'bourer was altogether ridiculous.'* To night the hon. Member said, that it was a problem as clear as any in mathematics, that the poor agricultural labourers would be ruined, if the repeal should be made. He left the hon. Member to reconcile his observations of this evening with those of 1815. Was the hon. Member now prepared to support that which he had then denied? He agreed with the sentiments of 1815, that the Corn-laws were upheld with the view and in the hopes of raising the rents of land; but they failed in that object. The hon. Member had accused him of theoretical views in expecting an increase of manufacture and an increase of trade, by a repeal of the Corn-laws. The hon. Member said, we should look to our own farmers and our own produce, and not trouble ourselves with France, where he could tell the House, there was little to be expected from the efforts of Dr. Bowring, even if aided by the Vice-President of the Board of Trade, and the member for Middlesex to complete the trio. There were monopolists in France, who had power to prevent freedom of commerce; but he would read the speech of Mr. Baring on the 22nd of February, 1815, as to such conduct. The hon. Member said, that— 'The question was, whether they were to 'afford such relief to the agricultural in- 'terest as would enable landed proprietors 'to keep up the rents and value of land, 'and the price of food beyond that at 'which they would naturally be—* * That 'according to the calculation of Adam 'Smith, the sum then paid by the people 'for the support of the landed interest 'was about 18,750,000*l*. And that by 'the measure then proposed, of raising 'the import price to 80*s*., a further sum 'of 14,000,000*l*. would be given, making 'in all 32,750,000*l*. as a tribute from the 'people to the landowner. * * Some coun- 'tries were suited to corn—other coun- 'tries possessed mines, fisheries, and other 'means, by which men could gain a sub- 'sistence, but were not adapted for corn. 'If Malta and Norway had, in this man- 'ner, taken it into their heads to make 'themselves independent of a foreign sup- 'ply of food, they might long have 'scratched their barren rocks and hills 'before they could have produced one- 'tenth part of the subsistence which they 'procured, in exchange for their fisheries, 'and the other branches of industry, which 'nature had placed within their reach.* * 'There was no limit to human industry, 'but on the principle of forcing a supply 'from your own soil, population never 'can exceed your own produce; the con- 'sequence of which must be, that you

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* Hansard, xxix. p. 965.

'must cut down your population to your 'produce, instead of regulating the supply of corn by your population. This 'was not lengthening the bed to the man, 'but shortening the man to the bed.* * 'No man would pretend to say, that it 'was right, by means of an Act of Parliament, to keep up an adventitious rent 'for the benefit of the owner of the soil, 'or that the House should be called on to 'do more, than to enable the farmer to 'proceed with the cultivation.'* The hon. member for Essex had said, that the repeal of the Corn-laws would be the sacrifice of the landed interest; that he thought the prosperity of England depended on the upholding the landed interest by the Corn-laws; and that he, therefore, was contented to remain as we were. To all this, he begged to read part of the speech of Mr. Baring in 1815, as an answer—'That he could see no reason 'why that House should oppose the return of things to their ancient and healthful state, by attempting to bolster up the 'price of corn by artificial means, which 'must prove injurious to the vital interests 'of the country.'† Such was the speech delivered by Mr. Alexander Baring in February, 1815, and he left it to answer the speech of the hon. member for Essex in the present debate. There was only one other matter he wished to notice. He had omitted the concluding part of the notice he had originally given, simply because he wished to bring the subject unfettered before the House. He wished for hon. Members to have an opportunity of acting freely. He now left the question in the hands of the House, conscious that he had done his duty in bringing it forward, and hoping that the House would do theirs in the way in which they dealt with it.

Mr. *Baring* said, that as the hon. member for Middlesex had referred so particularly to a speech which he had made twenty years ago, he must just say in explanation that that speech had been directed, not against the present amount of protection, but against a proposition which had been made to increase the protection at that time contended for.

The House divided—Ayes 155; Noes 312: Majority 157.

List of the AYES.

ENGLAND.

Aglionby, H. A.
Attwood, T.
Baillie, J. E.
Baines, E.
Barnett, C. J.
Bernal, R.
Bish, T.
Blunt, Sir C. R.
Bolling, W.
Briggs, R.
Brotherton, J.
Brougham, W.
Buckingham, J. S.
Buller, E.
Buller, J. W.
Bulwer, H. L.
Bouverie, Hon. D. P.
Buxton, T. F.
Chichester, J. B.
Clay, W.
Crawford, W.
Dashwood, G. H.
Davenport, J.
Davies, Col.
Dawson, E.
Divett, E.
Dundas, Hon. J. C.
Dundas, Hon. T.
Dykes, F. L. B.
Ellice, Rt. Hon. E.
Ellis, W.
Etwall, R.
Evans, W.
Evans, Colonel
Ewart, W.
Faithfull, G.
Fenton, J.
Fielding, J.
Fielden, W.
Fleetwood, H.
Fort, J.
Fox, Colonel
Fryer, R.
Gaskell, D.
Gisborne, T.
Grey, Sir G.
Grote, G.
Guest, J. J.
Gully, J.
Hall, B.
Hardy, J.
Harvey, D. W.
Hawse, B.
Hawkins, J. H.
Hodgson, J.
Howard, Captain
Howick, Lord
Hughes, H.
Humphery, J.
Hutt, W.
Hyett, W. H.
Ingham, R.
James, W.
Jervis, J.
Kemp, T. R.
Kennedy, J.
Lambton, H.
Langton, Colonel G.
Langston, J. H.
Labouchere, J. C.
Lester, B. L.
Lister, E. C.
Littleton, Rt. Hn. E.
Lloyd, J. H.
Lushington, Dr.
Marshall, J.
Marsland, T.
Martin, J.
Molyneux, Lord
Molesworth, Sir W.
Morpeth, Viscount
Morrison, J.
Ord, W. H.
Palmer, General
Parker, J.
Parrott, J.
Philips, M.
Phillpotts, J.
Penleaze, J. S.
Rippon, C.
Robinson, G. R.
Roebuck, J. A.
Rolfe, R. M.
Romilly, J.
Romilly, E.
Ryle, J.
Russell, Lord
Scholefield, J.
Shepherd, T.
Smith, V.
Stanley, Hon. H. T.
Stanley, E. J. N.
Scrope, P.
Seymour, Lord
Stewart, P. M.
Strickland, Sir G.
Strutt, E.
Tancred, H. W.
Tennyson, Charles
Thicknesse, R.
Thompson, Alderman
Thomson, Rt. Hon. P.
Todd, R.
Tooke, W.
Turner, W.
Vernon, Hon. G. J.
Walker, R.
Walter, J.
Warburton, H.
Waterpark, Lord
Wedgwood, J.
Whalley, Sir S.
Whitmore, W. W.
Wigney, J. N.
Wilks, J.
Williams, Colonel
Wood, Chas.
Wood, Alderman
Wood, G. W.
Young, G. F.

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* Hansard, xxix. pp. 966, 967, 972, 973, 977.
† Ibid p. 832,

SCOTLAND.

Abercromby, Rt. Hn. J.
Bannerman, A.
Dalmeny, Lord
Dunlop, Captain
Ewing, J.
Gillon, W. D.
Loch, J.
Murray, J. A.
Ormelie, Lord
Oswald, R. A.
Oswald, J.
Parnell, Sir H.
Sharpe, General
Stuart, R.
Wallace, R.

IRELAND.

Evans, G.
Lalor, P.
O'Connell, D.
O'Connell, M.
O'Connell, M.
O'Connell, J.
O'Dwyer, A. C.
O'Reilly, W.
Ruthven, E. S.
Ruthven, E.
Vigors, N. A.

TELLERS.

Hume, J.
Torrens, Colonel

PAIRED OFF.

Buller, C.
Codrington, Admiral
Duncannon, Viscount
Oliphant, L.
Potter, R.

List of the NOES.

ENGLAND.

Althorp, Lord
Anson, Hon. G.
Astley, Sir J. D.
Astley, Sir J.
Atherley, A.
Attwood, M.
Bankes, W. J.
Baring, A.
Baring, H. B.
Bell, M.
Benett, J.
Bentinck, Lord G.
Berkeley, Hon. C. F.
Barnard, E. G.
Bethell, R.
Bewes, J. B.
Biddulph, R.
Biddulph, R. M.
Blackstone, W. S.
Blandford, Marquis
Boss, J.
Bowes, J.
Brocklehurst, J.
Brodie, W. B.
Bruce, Lord E.
Brudenell, Lord
Bulteel, J. C.
Buller, C.
Burrell, Sir C.
Burton, H.
Byng, G.
Byng, Sir J.
Calcraft, J
Calvert, N.
Carter, J. B.
Cartwright, W. R.
Cavendish, Hon. C.
Cavendish, Lord
Cavendish, Hon. Col.
Cayley, Sir G.
Cayley, E. S.
Chandos, Marquess of
Chaplin, Colonel
Chapman, A.
Chaytor, W.
Chetwynd, Capt. W. F.
Childers, J. W.
Clayton, Col. W. R.
Clive, E. B.
Clive, Hon. R. H.
Cockerell, Sir C.
Collier, J.
Cookes, T. H.
Cooper, Hon. A. H. A.
Cotes, J.
Crawley, S.
Cripps, J.
Crompton, J.
Curteis, H. B.
Curteis, Captain
Dare, R. W. H.
Denison, W. J.
Denison, J. E.
Dillwyn, L. W.
Donkin, Sir R. S.
Duncombe, Hon. W.
Dundas, Capt.
Dundas, Hon. Sir R. L.
Eastnor, Viscount
Egerton, W. T.
Edwards, J.
Estcourt, T. G. B.
Fancourt, Major
Finch, G.
Fitzgibbon, R
Fitzroy, Lord C.
Fitzroy, Lord J.
Foley, E. T.
Foley, J.
Folkes, Sir W.
Forester, Hon. C. W.
Fox, S. L.
Frankland, Sir R.
Fremantle, Sir T.
Gaskell, J. M.
Gladstone, W.
Glynne, Sir S. R.
Gordon, R.
Goring, H. D.
Goulburn, Rt. Hon. H.
Graham, Sir J. R. G.
Grant, Right Hn. R.
Greene, T. G.
Grey, Hon. Colonel
Grimston, Viscount
Gronow, Capt. R. H.
Grosvenor, Lord R.
Guise, Sir B. W.
Halcombe, J.
Halford, H.
Halse, J.
Handley, B.
Handley, H.
Handley, W. F.
Hanmer, Sir J.
Hanmer Col.
Harcourt, G.
Hardinge, Right Hon. Sir H.
Harland, W.
Heathcoate, J. J.
Heathcote, G. J.
Heneage, G. F.
Henniker, Lord
Herbert, Hon. S.
Heron, Sir R.
Herries, Right Hon. J.
Hill, Sir R.
Hodges, T.
Hornby, E. G.
Hoskins, K.
Hotham, Lord
Houldsworth, T.
Howard, P. H.
Hope, H. T.
Hudson, T.
Hurst, R. H.
Irton, S.
Ingilby, Sir W. A.
Inglis, Sir R.
Jephson, J.
Jermyn, Earl
Jerningham, Hon. H. V.
Johnstone, Sir J. V.
Jolliffe, H.
Keppel, Major
Kerrison, Sir E.
Kerry, Earl of
Knatchbull, Sir E.
Lambton, Hon. E.
Langdale, Hon. C.
Leech, J.
Lefevre, C. S.
Lemon, Sir C.
Lennard, T. B.
Lennard, Sir T. B.
Lennox, Lord W.
Lennox, Lord G.
Lennox, Lord A.
Lewis, Hon. T. F.
Lincoln, Earl of
Locke, W.
Lumley, Viscount
Lygon, Hon. Colonel
Lyall, G.
Madocks, J.
Mangles, J.
Marjoribanks, S.
Marryat, J.
Maxfield, Captain
Mildmay, P.
Mills, J.
Moreton, Hon. A. H.
Moreton, Hon. H. G.
Mostyn, Hon. E. M.
Miles, W.
Neale, Admiral
Neeld, Joseph
Newark, Lord
Nicholl, John
Norreys, Lord
North, F.
Ossulston, Lord
Paget, F.
Palmer, C. Fysche
Palmer, R.
Palmerston, Viscount
Parker, Sir H.
Pease, J.
Pechell, Sir S. J. B.
Peel, Rt. Hon. Sir R.
Peel, Colonel J.
Pelham, Hon. C. A. G.
Pendarves, E. W.
Penruddocke, J. H.
Pepys, C.
Philips, Sir G.
Pigot, R.
Pinney, W.
Ponsonby, Hn. W.
Price, Sir R.
Pryme, G.
Pryse, P.
Ramsden, J. C.
Reid, Sir J. R.
Richards, J.
Rickford, W.
Rider, T.
Ridley, Sir M. W.
Robarts, A. W.
Rooper, J. B.
Ross, Charles
Rotch, B.
Rumbold, C. E.
Russell, Lord J.
Russell, Charles
Russell, W. C.
Sanderson, R.
Sandon, Viscount
Sanford, E. A.
Scarlett, Sir J.
Scott, Sir E. D.
Scott, J. W.
Sebright, Sir J.
Shawe, R. N.
Simeon, Sir R. G.
Skipwith, Sir G.
Smith, J. A.
Smith, J.
Smith, Hon. R. S.
Somerset, Lord G.
Spry, S. T.
Stanley, Rt. Hon. E.
Staunton, Sir G. T.
Staveley, J. K.

Stewart, John
Stormont, Viscount
Stuart, Lord Dudley
Stewart, W.
Surrey, Earl of
Talbot, C.
Talmash, A. G.
Tayleur, W.
Thompson, P. B.
Throckmorton, R. G.
Tower, C. T.
Townley, R. G.
Townshend, Lord C.
Tracy, C. H.
Trelawney, W. L. S.
Trevor, Hon. G. R.
Troubridge, Sir E. T.
Tullamore, Lord
Tynte, C.
Tyrell, Sir J. T.
Tyrell, C.
Verney, Sir H.
Vernon, G.
Villiers, Viscount
Vincent, Sir F.
Vivian, J.
Vyvyan, Sir R.
Wall, C. B.
Ward, H. G.
Warre, J. A.
Watkins, L. V.
Watson, Hon. R.
Welley, G. E.
Weyland, Major
Whitbread, W.
Whitmore, T. C.
Wilbraham, G.
Williams, W.
Williams, Robert
Williams, T.
Willoughby, Sir H.
Windham, W. H.
Winnington, H.
Winnington, Sir T. E.
Wood, Colonel T.
Wrottesley, Sir John
Wynn, Right Hon. C.
Yorke, Captain C.

SCOTLAND.

Adam, Admiral
Agnew, Sir A.
Arbuthnot, Hon. H.
Bruce, C.
Callander, J. H.
Elliot, Hon. Capt. G.
Ferguson, Captain G.
Fergusson, R. C.
Gordon, Hon. Capt.
Grant, Right Hon. C.
Hallyburton, Hn. D. G.
Hay, Colonel A. L.
Jeffrey, Right Hon. F.
Johnstone, J. J. H.
Macleod, R.
Maxwell, H.
Rae, Sir W.
Ross, H.
Stewart, Sir M. S.
Trail, G.
Wemyss, Captain J.

IRELAND.

Barry, G. S.
Belfast, Earl of
Blaney, Hon. Capt.
Browne, D.
Blake, M. J.
Castlereagh, Viscount
Christmas, J. N.
Conolly, Colonel
Coote, Sir C. H.
Corry, Hon. H.
Copeland, W. C.
Daly, J.
Dobbin, L.
Fitzgerald, T.
Gladstone, T.
Hayes, Sir E.
Howard, R.
Jephson, C. D.
Jones, Capt. T.
Knox, Hon. Col. J. J.
Lambert, H.
Meynell, Capt. H.
O'Callaghan, Hon. C.
O'Connor, F.
O'Ferrall, R. M.
Roe, J.
Shaw, F.
Sheil, R. L.
Stewart, Sir H.
Sullivan, R.
Talbot, J.
Tennent, J. E.
Walker, C. A.
Wallace, T.

TELLERS.

Darlington, Earl of
Rice, Rt. Hon. T. S.

PAIRED OFF.

Bulwer, E. L.
Ebrington, Lord,
Grant, Hon. W.
Vincent, F.
Wason, R.

COUNTY RATES.] Lord *Althorp*, in pursuance of the notice he had given, rose to move, that a Select Committee be appointed to inquire into the County Rates in England and Wales, and to report, whether any, and what regulations might be adopted to diminish their pressure on the owners and occupiers of the land. The noble Lord stated, that he was induced to move for the appointment of such a Committee by the conviction, that to the oppression caused upon the agricultural interests by local burthens, the distress under which those interests laboured, was really attributable. There were two branches, however, of the local charges which he thought it would be better not to include in the inquiry he then moved for, namely, the highway-rates, and the poor-rates. Those rates did not belong to what was called the county-rate; but, in addition to that reason for excluding them from the present inquiry, there were two others, which he thought would be deemed quite satisfactory by the House. The first was, that there was at that moment a measure before Parliament for the regulation of the highway-rates; and the second, that in addition to the intention which he had expressed of introducing a measure on the subject of Poor-laws, those laws constituted in themselves a subject-matter well worthy of a separate and distinct investigation, should it appear there was not already information before the House sufficient to enable it to Legislate upon the question. As the subject which he proposed submitting to investigation, was one which resolved itself into a variety of details, it was his intention to propose the appointment of a very numerous Committee, in order that, should it appear to its members advisable, they might have the opportunity of dividing themselves into several Sub-Committees. Whether they should do so or not, he proposed leaving entirely to their discretion. The noble Lord then formally proposed his Motion.

Mr. *Feargus O'Connor* expressed his surprise, that the noble Lord had not proposed, that the subject of the county-rates in Ireland should be referred to the Committee, as well as those of England and Wales. In the county which he had the honour of representing, the county-rates amounted to 100,000*l.* a-year, and for the whole of Ireland, they were no less than 1,000,000*l.* annually. He would undertake to prove, that there never was such an unjust squandering and misapplication of funds, as took place under this system in Ireland.

Lord *Althorp* said, that whether or not it might be considered advisable to appoint a Committee to inquire into the system of county-rates in Ireland, a point upon which he would not pledge himself, he thought there could be but one opinion as to the inexpediency of coupling that inquiry with an investigation into the county-rates in England and Wales. It was true, that the law on the subject was strictly the same in both countries; but, in point of fact, the rates were levied in Ireland by orders of Grand Juries, whilst in England they were raised by orders of the Courts of Quarter Sessions. He admitted, that the county-rates did press most severely upon the occupiers of land in Ireland, but he would not pledge himself to move for the appointment of a Committee to inquire respecting them. Under the circumstances, he hoped, that the hon. Member would be satisfied.

Mr. *Feargus O'Connor* said, that he would be satisfied if the noble Lord held out any hope, that the grievance of which he complained should become the subject of inquiry; but he had not done so. If the noble Lord did not like to move for the appointment of a Committee, he would do so.

Mr. *Spring Rice* said, that from the remarks which the hon. member for Cork had made, hon. Gentlemen might really be induced to suppose, that the questions of county-rates, and Grand Jury Laws, in Ireland, had never been made the subject of inquiry, whereas they had been the matter of repeated inquiry. Perhaps the hon. Gentleman meant to say (and probably he did not altogether dispute the point), that those inquiries had proved ineffectual; but seeing that only last year the House had passed a Bill to alter the Grand Jury Laws, he thought the only object to be gained by the appointment of a Committee at present, would be, that of inquiring into the old system, for whether the new system worked ill or well, remained to be proved. He hoped, however, that the new system would correct many of those abuses which had been alluded to by the hon. Gentleman. It must, however, be much better to inquire how the new system worked.

Mr. *Feargus O'Connor* said, that the new system altered the mode of levying the county-rates, but made no change with respect to their expenditure.

Sir *Robert Peel* suggested, that as the Committee was to be divided into several Sub-Committees, one of the divisions should direct their attention and inquiries to the working of the Grand Jury Bill of last Session, upon both the levying and expenditure of the county-rates. At the same time, he thought, the subject was one well worthy of a separate motion. He was quite disposed to admit, there was some reason for excluding those branches of local taxation which came under the head of poor-rates, and church-rates, from the inquiry the noble Lord proposed to institute; but, he confessed, he saw no reason why the highway-rates, which constituted a highly important feature in local taxation, should not come under the investigation of the Committee. He was aware, that the highway-rates were levied by an authority different from that under which county-rates were raised; but he thought it would be extremely expedient to show the manner in which those rates were expended.

Mr. *Littleton* begged to remind the right hon. Baronet, that there was, at that moment, a Bill on the subject of highways before the House.

The Motion agreed to, and the Committee appointed.

HOUSE OF LORDS,

Monday, March 10, 1834.

MINUTES.] Petitions presented. By Earl GREY, from Kirkaldy; and by the Duke of HAMILTON, from Dumbarton,—for a Change in the present System of Church Patronage in Scotland.—By Lords KENYON and DACRE, and the Bishops of LONDON and EXETER, from several Places,—for the Better Observance of the Sabbath.—By the Bishop of EXETER, from several Places,—for Protection to the Established Church.—By the Earls of COVENTRY, DURHAM, and GREY, by Viscount TORRINGTON, and Lords DACRE and HOLLAND, from a Number of Places,—for Relief to the Dissenters—By the Duke of RICHMOND, from Glemsford for a Labour Rate.

HOUSE OF COMMONS,

Monday, March 10, 1834.

MINUTES.] Bills. Read a second time:—Illegal Securities; Ministers' Appointment (Scotland).—Read a third time:—Sugar Duties.—Committed:—Mutiny; and Juries (Ireland.)

Petitions presented. By Mr. PEASE, from Durham, against a Clause in the Irish Anatomy Bill.

WESTERN RAIL-ROAD.] Lord Granville Somerset moved the second reading of the Western Rail-road Bill.

The Earl of *Kerry*, having been requested by the Great Western Railway Company to second the Motion for the Second Reading, would take that opportunity of stating the reason which induced him to support the measure. It was well known that Bristol was the great "entrepot" of the imports from Ireland, and in that respect the railway would be one of great national importance, for by it the best and most wholesome food would be obtained by the labouring classes of this great metropolis more cheaply. It would be of great advantage also to all the western counties, allowing their produce to be brought cheaper than at present to the London market. As to the objection that the advocates of the Bill were supporting a measure which had no body, but merely a head and a tail, it was one that had been argued a considerable time before the Committee. He admitted that it was so, but, in explanation of it he would beg to state how the speculation was got up. It only commenced last August; and every Gentleman who was acquainted with the proceedings must know that, before the end of October, notices were served upon all the persons whose property was likely to be affected by it, as it was necessary that the Company should order a survey of the whole line of the proposed Railway. The evil complained of, therefore, would be remedied in time. He considered this a great national undertaking, and he was sure that the grounds of opposition to it which he had heard frequently out of the House would have no weight in it. He regretted that some opposition was made to this Bill by a learned body, the Provost and Fellows of Eton College; but he had learned that the nearest point to the College at which the Railway touched was a mile and a half distant. Now the governors of Harrow and Rugby, within a quarter of a mile of the first of which the Birmingham Rail-road would pass, had not objected to that, nor did they think that the interests of those establishments would be affected by it. If there were any objections to be made to this Bill, he thought the proper time would be when it was in Committee. Out of 1,368 landowners on the proposed line of road, only 135 had expressed their dissent to it. He did not think it was necessary for him to add any more as he hoped that the House would agree to the Second Reading, and they would then have a full opportunity of discussing it in Committee.

Mr. *Robert Palmer* rose to oppose the Second Reading. The present was a case of a peculiar nature, and he should not stand forward to oppose it, unless he felt convinced that he had the strongest parliamentary grounds for the position he had taken. Much apprehension, he was aware, existed in the minds of hon. Members upon the subject of this rail-road, and till within the last few days it was not known to hon. Members generally what the Bill before the House really was, for it appeared in the votes of the House as the Second Reading of the Great Western Railway Bill. He was not going to contend that a line of communication from London to Bristol would not be beneficial to the country. But this was not the case; it was not the case of a railway from London to Bristol, but a Bill of a very different nature. Even if it were a railway to Bristol, he contended that no advantage would accrue from it, unless it was completed in the most effectual and least expensive mode. The case he (Mr. Palmer) had to submit to the House, was not that of the London and Bristol Rail-road; it was a very different one. The original proposal was started last summer, he believed; the prospectuses were issued, and subscriptions were set on foot for a railroad between London and Bristol. The House was, perhaps, not aware that the amount of capital necessary to be invested in the proposal was three millions. By the subscription list which he (Mr. Palmer) saw, only one million was made up; it might be forthcoming, but, however, the original plan was abandoned; and a second advertisement appeared for a railway between London and Reading, Bristol and Bath; so that a space of seventy miles intervened, which was not to have the benefit of a railway at all. He did not think he was occupying the time of the House unnecessarily on the subject, when he mentioned the state of opinion on it among the landed interests. The noble Lord said, that the number of those who assented to the Bill was very great; this he (Mr. Palmer) considered a very great error; no doubt it arose from misapprehension, but he was sure the statement could not be verified by facts. That morning he had seen in a newspaper of the county which he had the honour to represent, the project as put forward by the solicitors for carrying on this railway: and taking the opinions of those who assented and dissented from the Bill, it would be found that 217 agreed and 106 disagreed. But what was the amount of property amongst the assenting and dissenting parties? Why, in twenty-one miles of a country through which this road was to pass, the assenting parties had a quantity of land, one mile, one furlong, and 105 yards; the dissenting fifteen miles, five furlongs, and 167 yards; the neuters, three miles, two furlongs, and 195 yards; and adding the neuters to the assents, and taking it in the most favourable light, the dissents would be, in point of property, three to one against the Bill. The petitions which he had presented were most numerously, and, he would add, most respectably signed; and under these circumstances, he thought he had stated a strong case to induce the House to reject the Bill. It appeared that the measure was incomplete even as to the plan, and he feared that very considerable injury would be done to the places through which the railway would be carried, unless the line were completed. In a few years some new line or some better line from Reading to Bristol might be ascertained, or perhaps, in these days of improvement, some new means of locomotion might be discovered, and then, after all the injury had been done, the project would be thrown overboard. He was not able to state precisely what the number of assents and dissents was in the county of Middlesex, but he had every reason to believe that the number of dissents would be found to be much larger than those who assented to the measure. They were not numerically the largest, perhaps, but they possessed most property on the line. He contended, that the parties ought to come down to that House prepared to show that they were in a condition to carry the measure into effect. Whatever personal interest he might have in opposing the Bill (and he could assure the House that it was very small), and whatever interest those persons who had confided their petitions to him for presentation might have, if the parties had come down to that House, and shown that they were prepared to execute the proposed work—or if the subscription-list was in that state to justify the House in supposing that they would be able to carry the measure into effect, he would not oppose the Second Reading of the Bill; but as such was not the case, he must give his negative to the Motion. He regretted that the landed proprietors had not a person better able to advocate the cause which had been confided to him, but upon the grounds which he had stated, he moved that the Bill be read a second time that day six months.

The Marquess of *Chandos* seconded the Motion, and said, there was a very strong feeling in that division of the county of Buckingham which he had the honour to represent, against the Bill. The noble Lord stated, that the dissents in the county of Bucks were as numerous as the assents, while they had a much greater amount of property at stake. The heads of Eton College were against the measure; and the noble Lord read a letter, in which their opposition to the measure was very strongly expressed, as being calculated to do great injury to the property in the neighbourhood. He did not wonder that the merchants residing in Bath, Bristol, or London, having capital at command, should feel disposed to enter into a speculation which they anticipated would turn out to their own advantage; but, at the same time, he could not help remarking that there were other individuals whose interests ought to be respected, and who, if this measure were carried into effect, would suffer such damage that no remuneration could compensate them. In the county which he represented, many farmers would be completely destroyed, as the effect of the tunnels and other works would be, not only to cut off the particular line of communication, but also to injure the drainage, so that the low lands would become inundated with water. The Bill, in his opinion, instead of being beneficial, would be replete with injuries to the whole neighbourhood through which the railroad was intended to pass.

Mr. *Charles Russell* said, that many persons, whose names were attached to the petition he had presented in favour of the Bill, possessed property on the proposed line of road. He believed that the inhabitants of towns were not often the holders of large landed property. He did not believe that above five or six persons residing at Reading had any interest in the line of the railway; but, of these, one considerable owner, at least, was neuter upon this question. He certainly thought, that an unreasonable degree of stress had been laid on the circumstance that the whole line of the communication between London and Bristol was not, in the first instance, to be completed. From the observations which the hon. member for Berkshire had made, it might be inferred, that no *boná fide* intention was entertained to complete the Railway. That such could not be the case, was amply proved by the fact, that the proposition emanated not from Reading, nor from any place on the road, but from Bristol itself. The proposition which they now made was specific and simple. They asked for permission to construct a railroad between the Metropolis and Reading, and between Bath and Bristol. They contended, and they were prepared to prove, that the advantages which would be derived from these works were amply sufficient to justify their construction. Certainly they did expect to extend still greater benefits to the public. They did expect to be able to connect the Metropolis, not only with Bristol, and the western parts of England, but with Ireland and Wales, and they, therefore, called their work the Great Western Railway. These expectations, he thought, constituted an additional claim on the part of the projectors, and might fairly be urged by them. But it did seem to him a most paradoxical sort of reasoning and a most extraordinary description of prudence for the opposers of the measure to say, "Here is a specific advantage held out to you; but, take care, for if you do not mind what you are about, you will be entrapped into a better bargain than is now promised to you." With respect to the arguments of the noble Marquess, the member for Buckinghamshire, which were founded on the injury and inconvenience which, it is asserted, would be sustained by the school at Eton, they appeared to him most preposterous. No man could take a greater pride than he did in such noble institutions as that; but, could it be seriously contended, that they were to stand in the way of a great national work? Were these schools, the ultimate objects of which were to extend some improvement, to become a bar and obstacle to that improvement? Was the end to be sacrificed to the means? Would it not be more reasonable, instead of listening to the fears and complaints of the masters, to exact from them more vigilance and caution? After all, the question at issue was, are the advantages to the public from the construction of this railway sufficient to counterbalance the evils of a partial invasion of private property? These were matters which could only be fairly considered in a Committee, and he should, therefore, unquestionably support the second reading of the Bill.

Mr. *O'Connell*, in rising to support the Bill, said, that the question was, whether the Committee would sacrifice private interest to public good? Was the measure a public good? Could any one doubt it would have the effect of conveying heavy substances from parts greatly distant from each other in a very short time, and would confer benefits both to this country and Ireland, as the produce of the latter would be conveyed to the former? The progress of civilization had advanced to that state that the facility of transfer had become necessary, as the prosperity of the country depended upon it. Years back the Judges had decided that no man could proceed against another for a bill due at Oxford on the preceding day, as it was impossible to go from London to that place in that time. Since that, however, a much greater distance had been accomplished; and he hoped that, in the course of a short period, they would be able to go from London to Edinburgh in one day by the help of rail-roads. The grave and reverend Seniors of Eton had taken a fancy to opposition in the present case: why did they not oppose the Birmingham rail-road? It was enough to say, that they had not done so; but, he could tell them, that they might repose in their own precincts, and rest satisfied, that if the rail-road came within a mile and a-half of their College, they would have ample compensation. Bristol was a market for that great granary, Ireland, and the speedy transfer of the produce of that country would increase food for the poorer classes. It might, it was true, take away some monopolies, and interfere with some of the landowners between London and Bristol. They might suffer at first in consequence of that monopoly being destroyed; but the poorer classes, who would get food cheaper, would, in every part of the country, offer up their thanks and gratitude to the House for giving its sanction to so great a measure. The chief objections to the measure seemed to be not to its principles, but its details, which he (Mr. O'Connell) considered was more a subject for the Committee than the House.

Mr. *Labouchere* said, that as his constituents felt the deepest anxiety for the success of the Bill, he begged to make a few observations upon it. It was a Bill which contemplated only the half of a measure, leaving the whole measure to be filled up in a subsequent Bill; but if it were to stop by making a rail-road communication merely from London to Reading, and then from Bath to Bristol, very great advantages would accrue to the public, for there was a good water communication between the intervening places, whereas the water communication from London to Reading by the Thames, it was well known, was a very bad one. Although, therefore, it would be of importance to make a railway on the whole line, yet, if that could not be done at present, it would be of considerable advantage to have it as proposed by the present Bill. He sincerely regretted the opposition which had been manifested to the Bill by the College of Eton. He entertained the most unfeigned respect towards that College; but anything more preposterous than the assertions made in the petition from that College, that it would be detrimental to the morals of the youths educated there, if such a rail-road were within a mile and a-half of them, he never heard, particularly when it was considered where the Harrow and Westminster schools were situated, the scholars of which were as moral as those of Eton.

Sir *Thomas Freemantle* said, that this Company had come to Parliament under a false pretence; not that he wished to say anything unfavourable towards the proprietors, who were, he believed, highly respectable men. The Bill was stated to be to establish the Great Western Railway, and yet its provisions only went to establish one from London to Reading, and from Bath to Bristol; therefore, the Company might call themselves by any other name as well as by that they now bore. In the Bill there was no guarantee that all the line of railroad would be completed, as there were seventy miles of road left without any provisions. There was nothing by which the Company bound themselves to form a communication on the whole line, except the bare fact, that they chose to call themselves the "Great Western Rail-road Company." Therefore, it was, that he objected to the second reading. Those who advocated the measure on the principle of the hon. and learned member for Dublin (Mr. O'Connell), asserted, that the Company would be sure to complete the line, in order to forward their own object; but, it might happen, that no other persons would choose to join them; funds for that purpose might not be forthcoming to enable the Company to make the communication, and then in what a situation would they be placed? A new Company might come to Parliament next year prepared with the means of making that line, and they would be stopped, because the Great Western Rail-road Company had received the power to make it, although they had only made the two extremes of the line, and, therefore, the intervening space might never be completed. Indeed, they seemed to have contemplated some such an event; for, by the latter part of the Bill, it was provided, that if the line was not completed within three years, the lands were to go back to the original owners. He had next to complain of the immense extent of the schedule to the Bill; the lists of the lands, tenements, houses, &c., that were to be forcibly taken from their owners, in order to carry into effect this half measure, extended over not less than forty-two pages, and, then, but about fifty miles of road would be completed. Upon reference to the London and Birmingham Rail-road Bill, he found that, although the line extended 110 or 120 miles, the schedule comprised only nineteen pages. In the present Bill, he found, of gardens, tenements, and other parcels of property, in the highest degree valuable, which were to be forcibly taken possession of, there were not less than 1,271. He, therefore, would oppose the Bill, because there was a great uncertainty of the whole line ever being completed. The hon. and learned member for Dublin recommended, that all the details should be left to the Committee; but, unless the opponents of the Bill could raise a large subscription, it was impossible they could appear with any advantage before a Committee. He recollected that many thousand pounds had been spent in this way in the Birmingham Railway. He was prepared to show that, if only the two ends of the railway were constructed, it would not be of any great advantage; he was prepared also to contend, that railways were not calculated for the conveyance of heavy goods; he would not say, that they did not occasionally carry such; but the expense was so great for heavy articles, where time was no object, that it was found they could be better conveyed by canals and rivers, than rail-roads. The hon. and learned member for Dublin had condemned the College of Eton for their opposition to this Bill, but if the College considered that the Bill would be injurious to its interests, surely they had a right to come forward and state their objection to it.

Colonel *Conolly* thought, at that stage, they ought only to take the principles of the Bill into consideration. It was an object of great consideration, not only to the western counties of England, but to the whole of the south of Ireland. There had been strong efforts made to induce the people of Ireland to think that their interests were not attended to in that House. Now, the House had an opportunity of proving the reverse, and, at the same time, of conciliating the people of that country by allowing the construction of this railroad, by which the produce of Ireland would be brought to the best market. He was convinced that it would be of the greatest use to the agriculture, the moral habits, and the population of that country; serving its interests and removing its prejudices. It was apparent, that a strong hostility was calculated upon from the counties contiguous to the metropolis; and this convinced him that they apprehended that the competition of agricultural produce from Ireland, and from the distant parts of the country, would interfere with their interests, and they were, therefore, most anxious to prevent a general and open competition. He addressed them as an Irish Member, as he knew there were hon. Members in that House better able than he was to support the interest of Wiltshire. He could, however, state that the expression of feeling upon this subject in that country, was as strong as in any part of Ireland. As to the Irish part of the question, he would say, that the three counties of Antrim, Louth, and Down, were very superior to any part of Ireland; and why was it so? Because the constant and quick communication between those three counties and England had advanced them in morals and civilization. He, therefore, hoped most earnestly, that feelings would be brought to the question, with a view to the benefit of Ireland, by according to it the great advantages of communication with England. He was not connected with the south of Ireland; but he was most anxious that the benefits arising from the western rail-road, should be afforded it; it would be a satisfactory answer to the complaints made on the score of neglect respecting Irish business. He considered that the great outcry which was made for the separation of the countries, would be stopped, by evincing the desire to give every benefit to Ireland that could be reasonably afforded her. If they desired to retain it as an integral part of the empire, they could not take a more effectual way, than by opening the communication a rail-road would give.

Mr. *Gisborne* rose to support the Bill. He must condemn the system of canvassing that had been adopted respecting this Bill. He had received a card, inviting him to attend and oppose this Bill. It was a printed card. He would read it; The invitation was to the following effect:—

OPPOSITION TO THE WESTERN RAILWAY.

The Duke of Buckingham, Countess Berkeley; Earls Jersey, Harrington, and Cardigan; Lords Boston, Montague, and Stowell; Lady Carr; Mr. Sloane Stanley, Colonel Gore Langton, R. Palmer, Provost, Fellows, and Masters of Eton College, and the other opponents of this measure,—earnestly entreat the favour of your attendance in the House of Commons, on Monday, the 10th instant, at 12 o'clock, on the Motion for the second reading.

34, Parliament-street, March 8, 1834.
With Sir W. H——'s compliments.

Now, that proceeding he considered to be most improper. He certainly complied with that earnest entreaty, but whether in favour or disfavour of that request, his vote on the question would soon tell. It was well known that parliamentary canvassing prevailed to a great degree; but he considered this the most impertinent piece of interference that ever came under his knowledge. He considered it a very proper question for the House to entertain, whether a rail-road should be carried from London to Bristol, and whether Reading and Bath were the fixed points through which the engineers should direct that road. He was convinced of the benefits of rail-roads. A gentleman in the coal trade, informed him, that since the railroad between Manchester and Liverpool had been established, coals could be purchased at 1*s.* 6*d.* per ton in the latter place. He did not consider that any case was made out against the second reading of the Bill; it was one which could with propriety be submitted to a Committee.

Sir *Richard Vyvyan*, having had the honour to attend several meetings on the subject of the Bill before the House, thought it necessary to say a few words. He thought the hon. member for Buckingham had been rather severe upon the promoters of the measure; for, after alluding to the title of the Bill, he held that it was not the great Western Railway Bill, but a Bill for making a railway from London to

Reading, and from Bath to Bristol. He had objected to the former being the title of the Bill, because he did not conceive that it answered such a designation; but, so far as the promoters of the measure went, it showed sincerity. He agreed with what had fallen from the hon. and learned member for Dublin, that they ought to confine themselves to the principle of the measure, in discussing the second reading. They had been told that they were engaged in a measure they would be unable to complete; that they had taken two points, and left an intermediate line unsubscribed for. He was convinced the measure would be of the greatest service to South Wales, and to the West of England, to all Ireland, to Bristol, and the metropolis itself, to which it would be the means of affording a speedy communication.

Lord *Granville Somerset* had heard no objections that were not rather matters for the Committee than arguments against the Bill. That was particularly the case as regarded the number of assents and dissents; and he could assure the House, that, if the results of the Committee were not satisfactory, he would not be the Member to ask the House to proceed with the Bill. He was glad to hear, that no opposition had been offered to the plan for a railway between London and Bristol; and no parties could be more desirous to complete the whole measure, than were the parties to this Bill. With so much property involved in it, and with the improvement of that property that must result from the completion of the railway, it required little or no argument to show that they must be interested in and desirous of seeing the measure perfected. With respect to the resistance offered by Eton College, he could hardly think it was serious.

Sir *Charles Burrell*, as a trustee to Smith's Charity, opposed the Bill, because it would injure that Charity.

Captain *Dundas* thought, if rail-roads were to supersede the coasting trade, they would annihilate the seamen, and injure the country. He should oppose the Bill.

The House divided on the original Motion—Ayes 182; Noes 92: Majority 90. Bill read a second time.

REMUNERATION TO CAPTAIN ROSS.] On the Question that the House resolve itself into a Committee of Supply,

Mr. *Cutlar Fergusson* said, that he had a Petition to present from Captain John Ross, of the Royal Navy, praying for remuneration for the expenses incurred by him in his voyage to the North Pole. He (Mr. C. Fergusson), trusted that the noble Lord, the Chancellor of the Exchequer, would have no difficulty in signifying the consent of the Crown to the reception of the petition.

Lord *Althorp* said, he was authorised to signify his Majesty's consent to the presentation of the petition.

Mr. *Cutlar Fergusson* said, he should content himself with simply presenting the petition, deferring whatever observations he had to make on the subject until he proposed the Motion, which stood in the paper to-night.

The *Speaker* wished to know what course the hon. Member proposed to follow with reference to this matter?

Mr. *Cutlar Fergusson* said, that he intended to move as an Amendment on the Motion for going into a Committee of Supply, that an humble Address be presented to his Majesty, requesting that he will be graciously pleased to confer some mark of his Royal favour on Captain John Ross, for his public services; and assuring his Majesty, that this House would make good whatever expense his Majesty might think proper to be incurred on that account.

The *Speaker* informed the hon. Member, that his Motion for a Committee was unnecessary, for, though the subject-matter of the petition could not, undoubtedly, form part of the Army Estimates (which were to be proposed to-night), yet, as his Majesty had given his consent to the presentation of the petition, it might be taken into consideration in the Committee of Supply. The proper course, therefore, for the hon. Member to adopt was, to allow all the petitions on this subject to be presented, and then, after the order of the day being read, and previous to the Speaker leaving the chair, to move that they be referred to the Committee of Supply.

Mr. *Hutt* presented a petition from Kingston-on-Hull, numerously and respectably signed, praying that compensation might be granted to Captain Ross.

Mr. *Cobbett* was opposed to the grant of any public money to Captain Ross. How could that House relieve the burthens of the country, if it were always voting away the money of the people? If hon. Members proposed to reward Captain Ross, let them do it out of their own pockets, and he should make no objection; and he must say, that he thought the merchants of Hull would have acted more properly if, instead of petitioning Parliament to remunerate Captain Ross, they had raised a subscription among themselves for that purpose.

Lord *Sandon* presented a petition to the same effect signed in a very short time by many inhabitants of Liverpool. His Lordship said, that he was sure the hon. member for Oldham did not speak the sentiments of the labouring classes of this country, when he expressed himself hostile to the remuneration of an individual who, for the promotion of science, had sacrificed a great portion of his private fortune, and spent four years of his life amidst the severest privations.

Mr. *Lennard* thought, that Captain Ross was entitled to remuneration, and conceived that a plan might be adopted of doing justice to that gallant individual, without exciting the opposition of the hon. member for Oldham. A fund of 75,000*l.* was appropriated for the payment of pensions granted by the Crown; and he knew of none so well entitled to partake of that public bounty as those who rendered some service to the country. He imagined that an Address to his Majesty, requesting him to place the name of Captain Ross on the Pension-list, would meet with the support of every member in that House.

Petition laid on the Table.

Question, that the House go into Committee of Supply, again put.

COMBINATION OF COOPERS.] Mr. *Hume* took that opportunity of putting a question to the right hon. Baronet the First Lord of the Admiralty (Sir J. Graham), relative to a subject he had introduced in his speech on the Corn-laws the other evening. The impression which had been made out of doors by the statement of the right hon. Baronet, relative to the case of the journeymen coopers, was very unfavourable to those men. He had, however, received a statement of the facts of the case, in which it was complained that Government had interfered between the masters and the men; and he wished to know, whether the right hon. Baronet had made any further inquiry in order to ascertain how far the demands of the latter were reasonable, and how far the masters had shown a disposition to accede to them. The right hon. Baronet had stated that the men had struck, although the masters had advanced their wages, and acted with great kindness towards them. The fact appeared to be, that the nature of the work, since an advancement of wages had taken place, was so much changed, that what was formerly done in five days now occupied six; and all they required was, that their case, in that respect, should be taken into consideration. Since the Combination-laws had been repealed, masters and men had gone on with considerable amity, and therefore he hoped there would be no interference between them of any third party. He wished to know whether the right hon. Gentleman had made any further inquiry on the subject?

Sir *James Graham* had certainly made some inquires on the subject; but, having only returned to town late that afternoon, they had been of necessity limited in their extent. Although, therefore, they were not quite so satisfactory as he could have wished, the result of them was, that the statement he had given on a former night was quite correct. The men were now standing out for wages, which would amount to 2*l.* 4*s.* a-week, whereas they now received 1*l.* 19*s.*; although certainly he must admit, that there was additional labour required, and therefore there was room for inquiry into the matter. He hoped the hon. member for Middlesex would move for the production of the correspondence between the Admiralty and the master coopers, which he should have no objection to produce, in order that the subject, which was undoubtedly of great importance in connexion with the trades' unions, might be discussed in a regular manner, and not in a mere desultory conversation.

Mr. *O'Connell* hoped the hon. member for Middlesex would comply with the suggestion. A deputation had waited upon him, and, after considerable detail, had convinced him that one-sixth in point of duration and weight of work had, by the present mode, been added to their labour. The human frame was not able for any continuance to sustain the great increase of exertion which was thus accumulated. The rise in wages was only in proportion to the increase of labour.

Mr. *George Frederick Young*, being practically acquainted with the subject, ventured to confirm the statements of the right hon. Baronet, and pledged himself, if the House went into an extended inquiry, to prove that while the journeymen coopers earned considerably more than the maximum quoted by the right hon. Baronet, they had been in the habit of exercising a most improper and intolerable tyranny over the masters, particularly in the taking of apprentices, &c., which operated most prejudicially to their interests.

The House then resolved into a Com-Committee of

SUPPLY—ARMY ESTIMATES.] Mr. *Ellice* rose, for the purpose of submitting the estimate of the charge of the Volunteer Corps. The difference which would be found to exist in the estimate as compared with that of last year, arose, not from the number of men enrolled, which was precisely the same, but from being called upon to make good a sum of 3*l.* each for clothing, &c., for the present which had not been required last year, in consequence of a vote of 9*l.* granted three years ago, this being the first year in which an annual vote was proposed under that head. This would increase the estimate for clothing and contingent allowances from 28,119*l.* to 54,221*l.* As, however, they had been compelled by this charge for clothing to ask a larger sum than last year, the Government thought that they might, on the present occasion, reduce the expenses without any inconvenience to the public service of calling the corps out to permanent duty. It was therefore proposed now only to call for 22,000*l.*, instead of 55,000*l.* voted last year, arising from the difference between 7*s.* a-day, allowed last year on the corps being called out to permanent duty, and 3*s.* 4*d.* a-day, proposed this year in consequence of their being now called on to be exercised only in quarters. He understood that opposition was nevertheless to be offered to the vote by the hon. member for Middlesex, who proposed that the several corps should either be disbanded altogether, or, if maintained, that no public expense should thereby be incurred. With this view a return had been moved for by the hon. Member, of the charge of the corps of yeomanry at Uxbridge, who, it appeared, did duty without calling on the public to defray the expenses they incurred. Now, undoubtedly great credit was due to them for such disinterested conduct, but he could not keep pace with his hon. friend, in thinking that the whole of the yeomanry might be expected to offer such gratuitous efficient service. At the same time he hoped they would not object to the smaller allowance which was now proposed to be given them, and which he thought would be quite sufficient to provide for the due maintenance of the proper discipline of the corps, and its efficiency for public service. He was quite sure, in bringing forward this estimate, he did no more than his duty, in the situation which he filled, in calling the attention of the House to the great and invaluable services which the corps had always rendered when called out on public duty; and he trusted that the temporary reduction now contemplated would not dispose them to act with less zeal and patriotism than had distinguished them during the several years that they had been embodied under the present act. Another difference in this estimate arose from the entire omission of the yeomanry staff in Ireland, which had not been required or called out for service during the last three years. At the same time, if compensation was required for any meritorious individuals who had spent a large portion of their time in that particular service, he should not object to some provision being made for them hereafter. The right hon. Gentleman them moved, "That the sum of 82,179*l.* be granted for defraying the charge for the Volunteer Corps for the present year."

Mr. *Hume* thought, if the corps were disbanded only for one year, there was sufficient public spirit and patriotism in England to induce persons to come forward and enroll themselves for the purpose of preserving the peace, and protecting property around them, without subjecting the country to the heavy expense of maintaining such a force. Such a disposition was manifested in France; and he had no doubt, it would be manifested here also, if there were occasion for it. He would mention, that the Uxbridge, the Salisbury, and the Glasgow corps, were existing proofs that such a disposition was not wanting, for they did their duty gratuitously. He had urged his objections to the present system for twelve or fourteen years, and he had been delighted to find, that the Marquess of Lansdown, when Secretary for the Home Department, had determined to put an end to the corps. The first military men in the country, he believed, had been consulted on that occasion, and their deliberate opinion was, that the corps might be dispensed with very conveniently, and that if the 150,000*l.* required for their maintenance was to be expended, it would be much better that two or three regular corps should thereby be established. Government had then reduced the volunteers, but the present Ministry, on coming into office, had taken alarm, and placed them on their present footing. Since 1816, the enormous sum of 2,379,722*l.* had been expended in their maintenance, while there had been comparatively little occasion for their services. Why should there not be as much public spirit in England, as to raise without expense, such a force as existed so efficiently in France, in Holland, and in Belgium? No doubt a National Guard some time ago was considered rather revolutionary; but he was not attached to a name. He only wished a trial to be made of the public spirit of Englishmen, if the present corps were to be disbanded for one year. Plenty would be found ready to come forward without the paltry and unbecoming motive of being paid for their services. Upon the whole, considering that the right hon. Gentleman had held out a hope, that he would be able to dispense with the corps, and, especially sanctioned by the conduct of the previous Administration, he would propose to negative the vote altogether.

Colonel *Davies* agreed in the proposition to extend this force to infantry as well as cavalry. In the northern counties, where there was a large manufacturing population, the yeomanry had, on many occasions, been called on to risk their lives in encounters with determined rioters, armed with weapons of offence and defence. It could not be expected, that on these occasions, farmers should leave their homes without some remuneration. What they did receive barely covered the expense to which they were put. His hon. friend had referred to the National Guard of France. There was this wide distinction between the yeomanry of England and the National Guard of France, that the yeomanry was a volunteer corps in the true sense of the word. The service of the National Guard was compulsory. Every person who had a domicile in France was compelled to serve, and the Government provided clothing and arms. The hon. member for Middlesex wished his plan to be tried for one year; but let him recollect that a great deal of mischief might be done in a twelvemonth. Why replace this guard, whose services were only required once or twice in the year, by a standing army, who must be paid for every day in the year?

Mr. *Littleton* said, that it would be no economy to abolish the volunteer corps—on the contrary, if it were abolished, it would be indispensably requisite to incur, in some respects, the expense of a standing army. He belonged to a manufacturing county, and could say, from his own experience, that had it not been for the assistance afforded on many occasions by the yeomanry, the most extensive depredations would have been committed. In the whole of the district with which he was acquainted, containing 30,000 men, there had not been a single company of the troop out of doors. The infantry volunteers of other countries exercised only within the limits of the town where the different battalions were formed. He should think it a great misfortune if the volunteer corps of this country were in any degree reduced.

Mr. *O'Connell* said, that nobody disputed that a volunteer force might be useful. The question was, whether an experiment might not be made on the patriotism of the English, and a force got up without any expense. In 1780, when all the King's troops were drawn out of Ireland, and sent to America, 60,000 cavalry, artillery, and infantry, not only clothed, but armed themselves, and served for three or four years without a cost to the Government of a single shilling. Surely, in so wealthy a country as England, the experiment might succeed without costing 80,000*l.*

The Earl of *Grosvenor* said, that the yeomanry were put to great inconvenience and expense by their absence from home to attend to the duties of the service, and they did not receive as much as remunerated them for the loss they sustained. There were, he was aware, two troops, one in Wiltshire, and the other in Glasgow, which served gratuitously; but he thought it was well worth consideration, whether it was constitutional to allow bodies to arm themselves, and serve without remuneration, or whether it would not be more prudent that they should receive a small pay, and be obliged to take the oath of allegiance to his Majesty, and to bind themselves to serve him faithfully? He was sure it was not the intention of the right hon. Secretary at War to discourage the yeomanry; but, he feared, that the circumstance of their not being called out for permanent duty, would have that effect, unless they were apprised, that it was but a step caused by temporary circumstances, and that it was not intended to cast any slur upon them.

Mr. *Brodie* said, that the Salisbury corps, of which he was the Colonel, had performed very useful services, and was maintained at a very small expense to the Government. It was originally clothed by subscription, and armed by his Majesty, and the only expense which the Government had to defray was, the wear and tear of the arms, and the cost of ammunition, which did not exceed 10*l.* a-year. He suggested, that the general establishment of such corps would be the means of saving, not 9,000 men, as the hon. member for Middlesex had proposed, but 20,000.

Mr. *Gillon* considered the yeomanry not merely a useless but a dangerous force—the most dangerous that could be employed. It was not possible that they should be under the same subordination and discipline as the regular troops, and, therefore, they could not be expected, on sudden emergencies, to act with as much firmness and coolness. The allusion which had been made to Manchester was most unfortunate. When the circumstances which had occurred there were referred to, they ought to deter Gentlemen from voting for a force which was so liable to be influenced by local prejudices. He should support the reduction proposed by the hon. member for Middlesex, conceiving the force worse than useless.

Mr. *Mark Philips* begged the House would draw a distinction between the acts of the yeomanry at Manchester, and those of the Magistrates. He thought that the force had acted very well in circumstances of peculiar delicacy, although he did not deny that there had been some impetuosity on the part of one of the corps.

Mr. *Shaw* was of opinion, whatever might be done as to England, that there was a necessity to keep up the yeomanry force in Ireland. He feared, there was some other reason beyond that which was assigned for its suppression. He could not help thinking it was intended as a sop to satisfy a party which would never be satisfied.

Mr. *Littleton* assured the hon. member for the University of Dublin, that the Government, in withdrawing the vote for the Irish yeomanry, were influenced by no other motive than the consideration that the King's army was sufficient. Surely, 23,000 men were enough to have armed in a population of 8,000,000. He did not believe there had been an instance of the yeomanry in Ireland having been called out for the last three years. At the same time the Government by no means forgot the services which the yeomanry had rendered to the country on past occasions, and they entertained a firm conviction that, should there ever occur a necessity to arm that force again, it would come forward with the same alacrity which it had hitherto displayed. But, he hoped, we had now reached a time when, if it should be necessary to raise volunteers, they would be divested of party prejudices, and that Protestant and Catholic would act in the same service with no other object than to join in the defence of the country.

Mr. *O'Connell* said, that if the yeomanry were kept up in Ireland, the King's troops would be required to defend the people against the yeomanry.

Lord *Ebrington* bore testimony to the excellent conduct and discipline of the yeomanry corps of the county of Devon upon all occasions. A few days ago an East-India vessel was thrown upon the northern coast of Devon, with a most valuable cargo, which would have been totally lost, but for the excellent conduct of the yeomanry corps of that county.

Mr. *Cobbett* said, that Major Cartwright had called the yeomanry corps the body guard of the boroughmongers. Now, the body being gone, he could not see why the corps should not be given up. He felt glad, that not a single Member on the Ministerial benches had attempted to vindicate the conduct of the yeomanry corps of Manchester.

Mr. *Hume* said, that the Manchester yeomanry corps were so ashamed of their conduct on that occasion, that they dissolved themselves, and had never since been enrolled.

The Committee divided on the original Motion—Ayes, 135; Noes, 53; Majority—82.

List of the NOES.

ENGLAND.
Aglionby, H. A.
Attwood, T.
Bewes, T.
Blake, Sir F.
Buckingham, J. S.
Cobbett, W.
Collier, J.
Dykes, F. L. B.
Evans, Colonel
Ewart, W.
Faithfull, G.
Fielden, J.
Guest, J. J.
Hawkins, J. H.
Handley, Major
Humphrey, J.
Hurst, R. H.
Hutt, W.
James, W.
Lennox, Lord G.
Lister, E. C.
Potter, R.
Parrott, J.
Staveley, T. K.
Todd, R.
Trelawney, W.
Turner, W.
Walter, J.
Warburton, H.
Wason, R.
Watkins, L.
Whalley, Sir S.
Wilks, J.
SCOTLAND.
Gillon, W. D.
Johnston, A.
Oliphant, L.
Oswald, R. A.
Wallace, R.
Wemyss, Captain
IRELAND.
Barry, G. S.
Blake, M.
Evans, George
Fitzgerald, T.
Jacob, E.
O'Connell, M.
O'Connell, D.
O'Dwyer, A. C.
O'Reilly, W.
Roche, W.
Ruthven, E. S.
Ruthven, E.
Sheil, R. L.
Vigors, N. A.
Walker, C. A.
TELLER.
Hume, J.

Mr. *Ellice* then proposed "a charge of 16,547*l.* 12*s.* 10*d.*, for allowances as rewards for distinguished services, not exceeding three-fifths of the emoluments of garrison appointments which have become vacant; and also of allowances to officers of his Majesty's garrisons at home and abroad, holding their appointments as rewards for military service, but to which no efficient military duty attaches; and which appointments will be abolished on vacancies occurring, when rewards for distinguished military service will be granted in lieu thereof."

Sir *Henry Hardinge* expressed his regret at the course recommended to be pursued by the Committee which sat on the subject of military appointments last year. Up to 1788, the army had 30,000*l.* a-year distributed amongst them, as rewards for distinguished services; the army was then not one-half its present number, and certainly not half so deserving. He felt, that the decision the Committee up-stairs came to, namely, to reduce the rewards to the army, was most unjust. The Committee admitted the claims of the army, and said, because the army had served the country so well, the rewards to be bestowed should be cut down. In France, no less than 365,000*l.* were distributed as military rewards. He trusted, that next year the Government would bring forward some measure for rewarding military service. He knew, that it was almost useless for him to bring forward any proposition on the subject. He, therefore, should only protest against the injustice done the army. He thought, that the principle on which rewards were distributed under former Estimates, was much better than that which the right hon. Secretary had adopted in the present instance, who, he had little doubt, would soon see the propriety of altering his plan.

Mr. *Hume* was surprised to hear the right hon. and gallant Officer advocate so zealously, the vested rights of the army. If the right hon. and gallant Officer's doctrine were correct, they might soon expect to see those vested rights enforced with fixed bayonets.

Sir *Henry Hardinge* appealed to the Committee, whether in the observations he had made, he had used any such expressions as "vested rights" or "fixed bayonets." In what he had stated, he merely discharged his duty; and he could assure the hon. member for Middlesex, that he should always boldly stand up in his place in that House, to resist injustice, without caring whether his conduct was approved of or not, by the popular voice.

Mr. *Hume* cared as little about popularity as the right hon. and gallant Officer. He challenged the right hon. and gallant Officer, or any other Member of that House, to point out an instance in which he had courted popularity. So far from courting popularity, he could, on the contrary, assert, that numberless instances had occurred, in which he had actually borne the brunt of the adverse opinions of millions. Why, on a very recent occasion, when his Majesty's Ministers gave way to popular clamour, did he not resist the popular cry? The right hon. and gallant Officer had, therefore, no right to allude to him as a person capable of surrendering his own opinions, merely in deference to the wishes of parties out of doors. He denied, that any injustice was intended towards the army. The present annuitants were not to be disturbed in the enjoyment of their pensions; but it was right to put it out of the power of future Governments, to misapply the public money by the creation of such offices as those alluded to. So far from deserving to be attacked for what he had done in this respect, the right hon. Gentleman, the Secretary at War, deserved the thanks of the Committee, and of every man in the country, for the efforts he had used to introduce a system of necessary economy into the department over which he presided. It was, he admitted, no more than just, that merit should be adequately and properly rewarded. The right hon. and gallant Officer had referred to the list of 1792, but he had entirely forgotten to state to the Committee the disparity between the number of officers then serving in the army, and the number now employed. He had objected to the grant of 18,000*l.*, and he did so, because he thought any expense that was too high, should be cut down as much as possible, and, that large salaries should not be given where there was not only no merit, but no duty to be performed. He did not mean to say, that Lieutenant-Colonels should be paid like mere clerks, but the system of abuse existing in one public department, could not justify abuse in another.

Sir *Henry Hardinge* said, that a very considerable augmentation had taken place in the army, both cavalry and infantry, since 1792, and the payments had, of course, also increased. He did not mean to say, that the civil appointments were too many or too few; but this he would assert, without fear of contradiction, that the emoluments of the officers of various regiments, were much less now than they were in 1740, nearly a century ago. It was, he repeated, unjust to diminish the emoluments of the army, while in other instances, the emoluments of public servants had been increased. He had a perfect right to complain, that the army had not been done justice to.

Mr. *Cobbett* understood the right hon. and gallant officer's wish to be, that they should take nothing at all off. The argument, why something should be taken off, was the argument which was now brought forward to show, that no reduction whatever should be made. But it was the non-effective, and not the effective service they were talking about. What was the cost of the non-effective establishment in 1792? It was only right the Committee should know what it cost the country in that year, and what it now cost. In 1792, the sum of 369,462*l.* was voted for this purpose. But what was the sum that was now given? Why, no less than 2,589,369*l.* 10*s.* 1*d.* At the period of 1792, the sum granted for widows' pensions, and compassionate allowances, was only 9,000*l.* and odd. But what was it now? Why, it was no less than 212,100*l.*; and yet they were told, that the right hon. Gentleman, the Secretary at War, was not justified in his endeavours to make some little saving out of these sinecures, for so he must designate them. He was quite ready to admit, that the army had great merit; but when the right hon. and gallant Officer dilated upon its exploits in Europe, he surely should not have forgotten its achievements on the other side the Atlantic. When the gallant General was enumerating their great services, he ought not to have omitted what they had done for their country in the United States of America. But he observed that the Governor of the Isle of Wight was named on the present list, although he was not a military man. This was the only point upon which he desired explanation.

Mr. *Ellice* said, that the office to which the hon. member for Oldham alluded, was to cease with the present holder. He had, however, felt it his duty to provide for it in this way.

Sir *Henry Hardinge* observed, that the number of officers on full pay in 1792, was 4,014, and the number of rank and file, 48,000. The number of officers engaged in the army in 1833, was only 5,615, while the number of rank and file, amounted to 95,000 men. The Committee would, therefore, perceive, that in 1792, there was an officer to every company of twelve men; but, that in 1833, there was a company of seventeen men to every officer. The complaint of want of economy in this respect, was consequently groundless. The hon. Member must be aware, that at the end of the war, the list of pensioners was necessarily much enlarged. It was quite clear from the Report of the Committee, that the management and discipline of the army, were in a more perfect state now, than at any former period of our history.

The Resolution was then agreed to.

Mr. *Ellice* next proposed a Resolution, that the sum of 114,000*l.* be granted for defraying the army pay of General Officers serving with his Majesty's forces, they not being Colonels of regiments. The right hon. gentleman observed, that a diminution had been effected in this vote, as compared with the vote of last year, in consequence of the nonfilling up of the casualties, that had since occurred. He regretted, that he had not been able to adopt the recommendation which the Committee of last year had given relative to the allowance of those officers who had served prior to the last war. The inquiries he had made, had convinced him, that it would be impracticable to follow up that recommendation. He had no means of ascertaining who the officers were, whose circumstances would enable them to relinquish their pensions, or who they were, to whom those pensions would be continued. In every case, they would be entitled to the whole produce of the sale of their last commissions, and this would so far exceed the value of the annuities they received, that he thought it better not to interfere in the matter. Failing to carry the desire of the Committee into effect in this instance, he had deemed it expedient to leave another recommendation of theirs also untouched. A noble friend of his (Lord Ebrington) intended to supply the omission to which he alluded; and although he did not feel himself warranted in bringing that particular matter forward himself, for reasons which he had stated on a former occasion, he should cordially support his noble friend's proposition whenever it was made.

Lord *Ebrington* rose to bring forward his Motion of which he had given notice. He would move, "That, in pursuance of the recommendation of the Committee on Army and Navy Appointments, a sum not exceeding 6,500*l.* be added to the charge of the pay of General Officers, for the purpose of making up to 400*l.* a-year the pay of all such unattached General Officers, as are not in the receipt of any other public emolument."

The *Chairman* (Mr. Bernal) felt it to be his duty, to say, as the object which the noble Lord's proposition had in view was to make some increase in the Estimate, which his right hon. friend, the Secretary of War, had submitted, that it could not, in point of form, be made. The Committee had no power to augment the Estimates submitted to them by his Majesty's Government, and such a proposition was, not only without precedent, but against the orders which regulated their proceedings.

Sir *Henry Hardinge*, although he fully agreed in the substance of the noble Lord's Motion, could not but object to the form in which it came before the Committee. The King, and not that House, was the dispenser of grace, favour, and reward to the army; and he should object to the noble Lord, or any one else, calling on them to confer rewards which could only be obtained by means of his Majesty's pleasure. The Estimate should have been submitted by command of the King, and not until his pleasure respecting it was first ascertained. The same course ought to be taken before any reductions were proposed, for it was of the utmost importance, that the army should look up to no authority but that of the King. It was by his Majesty's direction, that punishments were inflicted, and by him alone should rewards be conferred. His was constitutional doctrine. But it was quite clear, that his Majesty's pleasure had never been consulted on the matter; for had they not heard the right hon. Secretary say, not, that such and such were according to the King's pleasure, but, that "he should be ready to support his noble friend's Motion." If the King's pleasure were ascertained, and the right hon. Secretary had his Majesty's permission for bringing the vote forward, he (Sir H. Hardinge) entertained no doubt, whatever, that it would be passed without difficulty.

Mr. *Ellice* had not the presumption to take anything upon himself in such a matter; he had only stated, that he would support his noble friend's proposition.

Sir *Henry Hardinge* observed, that the right hon. Gentleman was bound to have informed his Majesty of the nature of the recommendation which the Committee had given.

Mr. *Ellice* thought that, under all the circumstances, he could not have advised the King to command the adoption of any other course than that which had been taken.

Sir *Henry Hardinge* had understood the right hon. Secretary to say, that he had not taken the advice of his Majesty on the subject.

Mr. *Ellice* assured the right hon. and gallant Officer that he was in error. He really had not introduced his Majesty's name in the few introductory remarks that he had made, and, therefore, could not have stated whether he had or had not the sanction of the King for the line of conduct he had pursued.

Sir *Henry Hardinge* had certainly been under the impression that the right hon. Gentleman had not consulted his Majesty at all on this particular point. It was, however, only right that, as to his Majesty peculiarly belonged the discipline of the army, they should look up to him, and to him alone.

Mr. *Ellice* said, that he should be very sorry to maintain any other doctrine.

Captain *Dundas* complained, that there was another service which had not been treated justly. More favour had been shown to the army than to the navy, which was most unfair.

Lord *Ebrington* said, that neither service had been more favoured than the other. The allowance of the officers of the army had been reduced from 30,000*l.* to 18,000*l.*, but no diminution had taken place in the allowance of officers in the navy. It was, therefore, most unjust to say, that his Majesty's Ministers had favoured either service more than the other; but, above all, it was extremely injudicious to excite a spirit of jealousy between the two services. He was exceedingly sorry for the technical objection that had been raised against his Motion; but he trusted his right hon. friend, the Secretary at War, would take some future opportunity bringing the subject forward.

Mr. *Ellice* wished the subject to drop without further observation; but he could assure his noble friend, that he would take another opportunity of bringing it under the consideration of the House.

Mr. *Cobbett* observed, that, this seemed a quarrel between the sister services, which, being a mere family affair, should be left to be settled by the parties themselves. He should like to know how the people of Devon, the noble Lord's constituents, would like to have a sum of 6,500*l.* added to the charge of 114,000*l.* for the pay of General Officers, and General Officers, too, who were not employed at all? The people of Devon, he had no doubt, would agree with him, that three hundred General Officers were more than was required, and although the world might tremble at such a number of Generals, the people of Devon, he was quite sure, would not be as solicitous as the noble Lord to increase the burthens of the country on their account. But what must the world think of England with her three hundred Generals? Why the people of other countries must tremble at the prospect of a war with England, for with such a number of Generals, she could certainly send 300 or 400, or even 600 battalions into the field. He saw a gallant Admiral smile at this; but the gallant Admiral had no right whatever to smile, for it was well known that there were as many as three Admirals to every line-of-battle ship in the service. He could not consent to the proposed vote for adding to the allowances of three hundred Generals.

Lord *Ebrington* was satisfied, that the people of Devon would be as anxious as he was to do justice to those who had served their country meritoriously. They would not grudge those officers the rewards which they deserved, and this was the feeling with which he had proposed this vote.

Mr. *Cobbett* asked, whether the name of Prince Leopold was to be found on the list?

Mr. *Ellice* replied: Certainly not.

Mr. *Hume* said, that the expense of General Officers was so very great, that he would put it to the noble Lord whether he ought to sanction such a proposition as the one that he had made. No fewer than thirty-nine had not served at all during the last war.

Sir *Henry Hardinge* observed, that, on a former occasion, the hon. member for Middlesex stated that he should no longer quarrel with the expense, but with the number of these officers. He then had no objection to their receiving 400*l.* a-year, although he now turned round upon them in a manner so ungenerous. The thirty-nine officers to which the hon. member alluded, received their pensions under King's warrants, and as their average ages were 65, it would be a harsh proceeding indeed to interfere with them. When the question was brought forward again, he should be prepared to show that the whole sum proposed to be voted was more than gained by the 100*l.* a-year that was taken off the different regiments prospectively. The emoluments of regiments were now less than they were a century ago.

Lord *Ebrington* withdrew his Motion, and the Resolution was agreed to.

Mr. *Ellice* moved for a grant of 81,240*l.* for the half-pay and reduced allowances of officers belonging to disbanded foreign corps, &c.

Mr. *Cobbett*, objected to this money being sent out of England to be spent in Germany and elsewhere. The sum drawn from the people of England in this manner since the peace, amounted to 2,000,000*l.* It was unconstitutional and illegal to apply the money of the country in this way. Much of it, he believed, was paid to Frenchmen now serving in the French army. These parties were brought into the service of the British army by two Acts of Parliament, which said, that they were to have the same pay and the same allowances, and the same everything as English officers, until within a fixed time after peace should have been concluded. He should divide against the vote, if he voted alone.

Mr. *Ellice* said, that this was one of the contracts to which the Government found the country pledged when they succeeded to office, and they were bound by every principle of law and justice, to abide by the contract. Some of these allowances were for wounds received in the active service of this country. He was sure, that no one would wish such services to go unrewarded.

Mr. *Cobbett* asked, would the House believe, that 2,000*l.* more was paid to the widows of these German officers than was paid to the widows of the whole of the officers of our army in 1792?

Colonel *Davies* said, it was very well known, that parties were receiving these allowances, who now held offices, civil or military, under other Governments, and in some cases, the money was received in the names of those who were no longer in existence. He thought the public not sufficiently protected against such frauds.

Mr. *Ellice* said, it was impossible for the Government to guard against all the frauds that were attempted. If the gallant Member knew the particulars of such a case as that he had described, he would have done much more good by representing it at the War-Office, than to the Committee.

Sir *Henry Hardinge* said, that not one officer, receiving this allowance, could serve in a foreign army, without the permission of his Majesty, in whose service such officers of course remained. In some cases, such permission had been refused, and it was only granted where the case warranted it.

Mr. *Aglionby* said, that these claims were founded on a solemn contract. If the country was not bound to pay them, he would refuse it; but it appeared that we were so bound by an Act of Parliament.

Mr. *Cobbett:* I say, that that Act of Parliament is against the fundamental law of the land. It is against another Act of Parliament as good as that—an Act of Parliament which placed the King upon the throne. I contend, that by the Act of the 12th and 13th of William and Mary, the Government was forbidden to bestow any place of military emolument upon foreigners. And I say, that if we take it into our heads to set that Act of Parliament at defiance in this respect, we may also take it into our heads to set it at defiance in other respects.

Mr. *Hume* was understood to say, that, as the refusal of these allowances would be a breach of a special Act of Parliament, he could not vote against the grant.

The Committee divided: Noes 4; Ayes 200; Majority 196.

List of the Noes.

Cobbett, W.	Williams, Col.
Faithfull, G.	TELLER.
Fielden, J.	Ruthven, E.

Mr. *Ellice*, in moving the sum of 1,327,848*l.* 7*s.* 2*d.* for the pensioners of Chelsea and Kilmainham Hospitals, observed, that considerable reductions had been commenced in those establishments.

Mr. *Cobbett* thought the grant excessive. These pensioners received upwards of 31*l.* per annum, or about 12*s.* a week, which he thought was quite monstrous. Besides this, the official expenses for attendance on these old men cost 30,000*l.* a year. The out-pensioners received 11½*d.* a day, being nearly 6*s.* a-week, for doing nothing, whilst the day labourer got but five shillings a week at the very outside for the sweat of his brow. When he (Mr. Cobbett) was a soldier, these pensioners got but 4*d.* a day, and it was quite enough now. Nothing went down now but a red coat. He had been one himself, but the House seemed to forget his services.

Mr. *O'Connell* said, that some of the apartments in Kilmainham Hospital were now appropriated to certain officers of the garrison at Dublin. He wished to know whether it was the intention of Government to displace those indidivuals in the arrangements they were contemplating with regard to that institution.

Mr. *Ellice* replied, that all he could say at present with regard to that institution was, that arrangements had been made to remove such in-pensioners as could be removed to Chelsea Hospital, whilst the more infirm would be accommodated in certain infirmaries and hospitals of Dublin.

Mr. *O'Connell* said, that this change had given great dissatisfaction to a large part of his constituents, and he felt it his duty, therefore, to mention it. It might be advocated as a very judicious piece of economy; but was there any very great saving to recommend it? He thought it a very great cruelty to bring away these poor pensioners, removing them from their native land, from a national institution which they had long looked upon with affection and pride, particularly as the removal was contrary to their inclination. None were in-pensioners of that institution, except by inclination—old soldiers, whose friends and families were separated from or altogether lost to them, and who found a home and an asylum within those walls. Strong remonstrances had been made to Government not to put down this institution; and whatever little saving might be effected by so doing, could not compensate for the dissatisfaction which such a measure would cause.

Mr. *Ellice* assured the hon. and learned member for Dublin, that Government would not have proposed this change if they had thought that it would at all interfere with the comforts of the individuals in question. The hon. and learned Gentleman might rest assured that no such measure of cruelty would be enforced against those whose infirmities might unfit them for a change to this country; but every encouragement would be given to them to remove to their own families, or elsewhere, as might be convenient. The hon. and learned Gentleman had remonstrated against this proposal for putting down a national establishment. He could assure him that there would be no change in the nature, though there might be nominally in the future destination of that establishment. The fact was, that this year the lease of the artillery barracks in Dublin would expire, and it could not be renewed, and the necessary repairs executed, without considerable expense. When, therefore, it was considered that the whole number of persons in that establishment was 270, and that there was an abundance of accommodation for them in Chelsea Hospital, he did not see that it was worth the expense of 12,000*l.* to keep up a separate establishment for their use.

Mr. *O'Dwyer* begged to say, that he set very little value on the consolation which the Secretary at War had just administered. The right hon. Gentleman had assured the committee that the hospital should be kept up, which meant that the stores and mortar should not be transferred to England. No doubt if the expense of carriage were not an objection, the fabric would be demolished, and the materials conveyed to London. The right hon. Gentleman would call that demolition by the delusive and most mischievous name of "consolidation," and the committee would be quite satisfied. He protested most strenuously against this wholesale destruction of everything Irish. It might be agreeable to some persons to accumulate all the office-desks and office-forms of Ireland in five or six large houses in London, upon the plea of economy, and under the name of consolidation, but he undertook to say that the breaking up of public establishments in Ireland had inflicted much individual misery—had diminished the expenditure in that impoverished country, but did not produce any corresponding saving to the State. He had not any official data to guide him in this statement, but he ventured to make the assertion on the received opinion of the public, assisted by his means of personal observation. He now came to consider the proposition of the Government, with regard to Kilmainham Hospital, and the measure of appropriating this establishment to the ordnance service, and he unhesitatingly asserted that the Government had no legal right to justify such a proceeding. The House was frequently reminded of the protection due to vested interests, and this was a case in which there should be a consideration of the kind. The history of this hospital was brief and interesting. It was founded in the time of Charles the Second. The edifice was raised by funds created by a deduction of sixpence in the pound from the pay of all officers, soldiers, and other military persons serving in Ireland. Lands which formerly belonged to the Knights of St. John of Jerusalem, which belonged to the Crown in the reign of Queen Elizabeth, were conveyed to the hospital by the tenure of perpetual alms for the support of the establishment. For many years the invalids were supported by this mode of revenue. Would the House of Commons think it just to divert this ancient charity from the intentions of its original founders? But, on higher grounds than those of technicality, he (Mr. O'Dwyer) wished to know was it politic to break up this institution? There were many things which might be done, which it would be very inexpedient to do. With respect to this institution he would say, that there was no Irishman who did not feel a national pride in this establishment. It was one of those few monuments existing in Ireland which created in most men an ennobling attachment to the Constitution under which they lived. It was creditable to the country that there should be in the capital an asylum for the brave and worn-out defenders of the land; and the breaking up of this establishment was a measure so small in its conception, that it seemed to be devised by the genius of a pedlar, and adopted without consideration by the Secretary at War. It was part of a system of denationalization which should be discouraged. The object seemed to be to take from Ireland all her public establishments, and conduct the government through the Post-office. He asked the noble Lord, the Paymaster of the Forces, who had paid a flying visit to Ireland, and who had investigated the affairs of this establishment —he asked the Secretary for Ireland, who knew the feeling in Ireland on the subject —finally, he asked the Secretary at War to name any one person of authority who approved of the breaking up of Kilmainham Hospital? He ventured to assert the scheme was disapproved of by the Commander of the Forces in Ireland. At all events, the Committee had a right to know whether this was not an ill-advised scheme planned by some incompetent person, or whether it was a measure recommended by those who were competent to give an opinion.

Mr. *Hume* was sorry to hear hard words against economy. He must say he thought, that the expenses of the institution in question, about 50*l.* per man, were more than could be fairly justified. The expense of the establishment at Chelsea was unnecessarily great; but the expense of Kilmainham surpassed it. He would recommend, that the payment of the pensions should be made through the hands of a regular army agent, at the usual rate of commission, which would effect a saving of 12,000*l.* a-year. Amongst other items of the official appointments at Chelsea, was that of 300*l.* a-year for the clergyman; that was too much. He hated political clergymen; and he hoped that the chaplain had some duties to perform, which would keep him from meddling with politics.

Lord *John Russell* said, that, as there was no longer a separate army for Ireland, and as the Irishmen and Englishmen were indiscriminately mixed throughout the service, there could be no objection to the proposed union of the two national military hospitals. He had only acted on a principle long established in the department to which he belonged. It was a practice of long standing to appoint to offices in Chelsea Hospital persons of military claims; men, who had, in some way connected with the army, entitled themselves to encouragement and patronage. The King's warrant had laid down a rule, by which the disposal of such offices was regulated, for it directed that those should be appointed, whose sufferings or merits in the military service gave them a claim to remuneration. In bestowing the particular appointment referred to by the hon. member for Middlesex, he had looked only to the services which had been performed by the gentleman who filled that office, without regarding political differences; and, if in doing this, he had deviated from the path pursued by his predecessors, he had nothing with which to reproach himself. When the hon. member for Middlesex brought forward a motion to abolish the institution, he would certainly resist it to the utmost, for he was determined to uphold this admirable establishment to the utmost.

Sir *Henry Hardinge* said, the statement of the noble Lord was most satisfactory. As Chelsea Hospital was to be preserved, it was most desirable, that all the offices in it should be filled by men of merit, who had deserved well of their country in a military capacity. But he should take leave to say, that he would much rather see Kilmainham also preserved. It was an act of justice to the noble Lord to state, that what he said about the King's warrant was quite correct. The duty was imposed on him to appoint proper persons, and a more proper and creditable selection than Mr.

Gleig he could not make. Mr. Gleig was a gentleman of considerable distinction, who had served in the army, and with great credit. He was also the author of distinguished works connected with the military service; and the appointment would, he was sure, give general satisfaction among all classes connected with the army. He would ask persons who objected to the appointment — and he would especially direct himself to the quarter on his left,—whether there was any vituperation against the Duke of Wellington when he appointed the Rev. Dr. Grey, now Bishop of Hereford, to a most valuable living? When he appointed Mr. Abercromby, was there any vexatious paltry objection raised? The noble Lord, by the appointment of Mr. Gleig, had acted according to the King's warrant; and he was perfectly justified. He would, however, leave that subject to refer to one on which he had given a notice, the commutation of pensions. In 1831 and 1832, he brought under the notice of the House the question of the commutation of soldiers' pensions, because he thought then, as he did now, that it was cruel, unjust, and impolitic to leave men who had fought for their country, and deserved well of it, dependent for the means of subsistence on accidental circumstances. There were no less than 3,000 English, Irish, and Scotch, who had been forced to commute their pensions for a sum of money. That was a case of peculiar hardship, especially on the Irish, who had no Poor-laws to fall back on as the English had, and were not, perhaps, men of such frugal and provident habits as the Scotch. He would before have brought the question under the consideration of the House; but that the late Secretary at War (Sir J. C. Hobhouse) told him that it was under the consideration of Government, and held out hopes, that the evil would be rectified. He would then ask the right hon. Secretary whether the practice of commuting pensions were to be put an end to; and whether those who commuted their pensions, and had gone out to the colonies as emigrants, an occupation for which they were totally unfit from their age, their inexperience, and their feebleness, were to be restored to the Pension-list? Those old soldiers were now either begging or breaking stones or doing the most menial offices in our distant settlements; and he thought that, for the credit of the army, something should be done to alleviate their condition, and put an end to the system which brought them to that wretchedness. He had made some objections before to the way in which parts of the Estimates were drawn up. The East-India Company paid to the dead weight, as it was called, 60,000*l.* a-year. He thought that sum which was now paid to the Consolidated Fund, should be paid to the Secretary at War, in diminution of the whole Estimates; and there was a memorandum of his left in the office to that effect. The Estimates he thought should be made to correspond with public services. There was an item of 17,000*l.* charged in this estimate, on account of pensions paid for persons in the Ordnance department. He approved of the ordnance pensions being paid at Chelsea; but he thought the sum necessary for them should be placed in the Ordnance Estimates.

Mr. *Ellice* said, that it had been determined to put a stop to the commutation of pensions. It was a highly objectionable system. The person who first brought it forward to promote the comforts of soldiers, he (Mr. Ellice) would say, knew little of the condition or capabilities of soldiers. Soldiers had not that prudence, that skill, or that bodily vigour, that were necessary to qualify men to become settlers. He had restored men to their pensions in all cases when he had an opportunity, and after the amount of the commutation was refunded. But he believed, that the document sanctioning the commutation was signed by the gallant Member himself when in office.

Sir *Henry Hardinge* begged to say, that he had never signed the documents of the commutation of pensions; out of so shameful an act, he would wash his hands; on the contrary, he cautioned the right hon. member for Dundee against such an arrangement. His object was to allow soldiers, with the consent of Parliament and their own, the facility of emigrating to the colonies. But he never sanctioned the monstrous plan of forcing men to commute their pensions. It was what he absolutely spoke against.

Sir *Henry Parnell* said, that the commutation of pensions did not emanate from him; and when he took office, he found the system recommended, and a draught of the plan among the official papers.

Mr. *O'Dwyer* asked, was not the proposed abolition in opposition to the recommendation of the general officer who commanded in Ireland; or did that officer give it his approval?

Mr. *Littleton* said, that there were other parties in Ireland who were as competent to give an opinion on that point as the present Commander in-Chief, however entitled to respect his opinion might be. The question was one of economy; if the economy were small, he (Mr. Littleton) would not advocate the abolition; but when a considerable saving was to be made, that was another thing. It was the opinion of the best judges, that there could not be a better place for the royal artillery than Kilmainham Hospital.

Mr. *Sheil* said, that there was no Irishman of any party who would give his assent to the removal of the establishment. No matter how broken up into parts they might be, still they were all on national grounds opposed to the abolition of that useful institution. Every one recollected what discontent the removal of the naval station from Cork produced; the Custom House was removed, the Stamp Office was removed; every establishment that could benefit the country, and which the country valued, was removed. Now, it was proposed to remove Kilmainham Hospital, and he (Mr. Sheil) supposed that it would soon be proposed to remove the Courts of Law.

Mr. *O'Reilly* said, that he was no advocate for old ascendancy establishments, and therefore he would advocate the abolition of Kilmainham. The Irish people did not care for such establishments. Catholics were excluded from the benefits of Kilmainham, as well as from other establishments of Ireland; and as long as that was the case, he did not care how soon they were removed.

Mr. *O'Connell* rose to protest against the doctrine of the hon. member for Dundalk. Catholics were admissible equally with Protestants to Kilmainham, and treated equally well.

Mr. *O'Reilly* would ask the hon. member for Dublin to move for a return of the number of Catholics admitted to Kilmainham, and then he would find, by the return that it was an exclusively Protestant establishment. Catholics were eligible to all places, to the Corporations even; but how many of them were admitted? The Ministry should be cautious in taking statements from Members who were supported by the ascendancy party in Ireland.

Mr. *O'Dwyer* said, that after the speech of the hon. member for Dundalk, there was to be found one Irish Member in that House, who did what would be very unpopular in Ireland. "But," said he, "the Gentleman will find that all will not allow political antipathies to engender private acquaintance." Blunders might, perhaps, be the peculiarity of his country. He meant, that however men might differ in politics, those politics should not embitter private acquaintance.

The vote was agreed to. The House resumed.

Bribery at Elections.] On the Motion of Lord John Russell, the Order of the Day was read for the second reading of the Bribery at Elections Bill.

On the Question, that the Bill be read a second time,

Sir *Robert Peel* said, that the Bill proposed by the noble Lord was intended as a remedy to enable the House to escape the difficulties by which it had felt itself encumbered the other evening, when the questions relating to the boroughs of Carrickfergus, Stafford, and Liverpool were under consideration. The object of the Bill was to enable them to provide a tribunal more satisfactorily constituted than any tribunal at present existing, for the purpose of inquiring into allegations of bribery and corruption. In the general object of the Bill he concurred. It seemed to be extremely desirable that the House should have the means of making an example of those boroughs in which, it could be proved that general and systematic bribery had prevailed; and, with the exception of the House itself, there was not at present any satisfactory tribunal before which allegations of bribery and corruption could be properly investigated. Agreeing, therefore, in the general principle of the Bill, he begged to call the attention of the House to its enactments. It provided that, in case there should be an Election Committee appointed in the course of its inquiry, an allegation of general bribery and corruption in the borough should be made, in that case, the allegation against the return of the Member, and the allegation against the general purity of the borough, should both be inquired into by the same Committee. The Bill also enabled parties, within three months after bribery and corruption should have prevailed at the election for any place, to send a petition complaining of such offences; and it then provided, that a Committee should be appointed to inquire into the allegations of such a petition, in the same manner as Election Committees are now appointed. In the first place, he very much doubted whether it would not be better to keep distinct, as far as possible, any inquiry into the existence of general bribery and corruption in a borough, from the inquiry into the return of a Member of Parliament. He did not mean to say, that he would not, as at present, allow an Election Committee to make a Special Report, alleging bribery and corruption against the borough generally; but he would appoint a separate and distinct tribunal for the trial of the allegation against the borough, that tribunal being constituted in such a manner as to attract the general confidence of this House, of the other House of Parliament, and of the country generally. Unless that were done—unless the decision of the Committee carried with it the confidence of that House, and of the House of Lords,—they would not, in point of fact, be relieved from their present difficulty. There would be the Report of a Committee as at present laid on the Table;—there would be long and tedious discussions upon it; the matter might be carried before the Lords when the Session was well nigh worn away;—the Lords not having implicit confidence in the tribunal which the Commons had appointed, would direct an inquiry of their own;—Parliament would be prorogued before the inquiry was terminated; and thus Session after Session would pass away without any decision, and of course without the infliction of any punishment whatever. He wished to aid the noble Lord in his object, which he apprehended was, first to have satisfactory evidence as to the existence of general and systematic bribery in any place, and then, with all possible despatch, to make an example of that place. He would, therefore, suggest to the noble Lord, who had paid much attention to the subject, that it would be infinitely better to keep the two inquiries as distinct as possible,—allowing the Election Committee as at present, if it have strong evidence of the prevalence of general bribery and corruption,—to make a Special Report, allowing also parties, even in cases where there was no petition against the return of a particular Member, to present a petition alleging general bribery and corruption against the borough; but establishing a distinct and separate Committee to try the latter allegation. Then came the question—how should this Committee be appointed? In the first place, he thought it should have all the sanctions and authorities with which a Committee of this House could be vested. It should have the power of examining witnesses upon oath; and, above all, no Member of it should be allowed to pronounce an opinion upon the subject of inquiry who had not heard the whole of the evidence. There should be an obligation upon every Member to attend personally during the whole course of the inquiry. At present that was not the case: when an Election Committee reported that general bribery and corruption prevailed in a borough, the subsequent Committee appointed to prosecute the inquiry into the alleged delinquency of the borough, was a more incomplete tribunal than the first, because it did not examine witnesses upon oath, and because it was not compulsory upon every Member to attend. The main reason why, in cases of this kind, he should prefer sending the matter to a Committee properly constituted, to an inquiry at the Bar of the House was, not only on account of the time and trouble that would be saved, but because it was known, that when the inquiry was gone into in the House, many Members who had not heard the whole of the evidence, and some who had not heard a particle of it, frequently pronounced their judgment, or at least gave their vote—for judgment they could not form. In what way, then, ought they to constitute the Committee before which was to be tried the important question—whether a borough should, or should not, continue to send Representatives to Parliament? He thought that the constitution of such a Committee should not be left to chance: such a course might, perhaps, answer tolerably well when only the right of an individual Member was concerned,—when the validity, or the invalidity, of an individual return was to be tried. Members then felt themselves bound by obligations of honour—by a sense of justice—which had a much less binding force—when the question at issue was, whether a certain borough should or should not retain its franchise—questions of general policy mixed themselves in that case with the discussion. Take, for instance, the case of a borough in which the chief part of the constituency consisted of freemen,—suppose, in the appointment of a Committee to inquire into allegations against that borough, the chance should fall upon Members who are mainly returned by freemen,—it would be found that those Members would have a leaning towards the freemen. It was not, therefore, too much to say, that, in many instances, a Committee of this description, appointed merely by chance, would not carry with it the confidence of either House of Parliament. Supposing, then, that there were insuperable objections to the constitution of these tribunals by chance, with whom should rest the power of nomination? To vest it in the Government might be open to objection,—to vest it in the individual Member who might complain, would be equally open to objection. But there appeared to be one authority in the House upon whom the power might very properly devolve, and in whose exercise of that power implicit confidence would be placed. He thought it probable that a Committee nominated by the Chair would consist of persons who, by their freedom from party prejudice, and from all personal interest in the question at issue,—by their ability, and by their general integrity, would be most likely to command the confidence of both Houses of Parliament, and of the country in general. He should, however, propose to reserve to the House the power of controlling the power of nomination by the Chair in cases where it should think proper. He would constitute such Committee by Act of Parliament, requiring the attendance of every Member throughout the whole of the investigation, and giving them the power to examine witnesses upon oath; and he was satisfied, that a Committee so constituted, under the sanction of the House, would have more confidence reposed in its decisions, than if it were nominated by the party interested, or by the Government, or if it were selected by chance. The appointment of almost all other Select Committees was left to the Member who brought the subject forward. The selection by chance applied only to Election Committees, and, for the reason he had stated, worked well enough upon the whole, in determining the right to a return. But when such important functions were to be intrusted to a Committee, as that its Report should declare whether a whole borough, or a particular class of the constituents of a borough, should or should not cease to exercise the elective franchise, it appeared to him that, if the judgment of a tribunal were to carry with them the confidence and approbation of the public, it was of the utmost importance that that tribunal should be constituted with the utmost care and discrimination. The noble Lord proposed, that the Report of the Committee should be laid before the House of Lords, and that if the two Houses should unite in an Address to the Crown, praying his Majesty to suspend the franchise of the delinquent borough; in that case, the franchise should be suspended. Now, if the House of Lords were to be expected to take the Report of the Committee of the House of Commons as the warrant for its proceedings, of what immense importance was it that that Committee should be constituted in a manner calculated to inspire confidence in its decisions. But he would advise the noble Lord to re-consider this part of his plan. The noble Lord proposed, that the Committee should report as to the prevalence of general bribery and corruption. This was extremely vague; and he would strongly urge upon the noble Lord the necessity of requiring from the Committee a minute and detailed report of all the facts that had appeared in evidence before it,—specifying, as accurately as possible, the extent to which bribery prevailed; then let the House of Commons express their opinion upon the subject, and if they affirmed this Report of the Committee, let them then send the Report of the Committee, with the sanction of their approbation in their collective capacity to the House of Lords. The House of Commons, upon questions of this kind, should originate its own course of proceeding. Whether by Bill or not, he did not pretend to say; though he certainly thought, that the House of Lords was as likely to concur in a Bill as in an Address to the Crown. The noble Lord, by his proposed plan of proceeding, required the consent of the three branches of the Legislature. Then, why not have it by a Bill, instead of introducing this novel proceeding of a joint Address to the Crown from the two Houses of Parliament. Nothing was gained by the innovation. The noble Lord contemplated no other case, than that of suspension and extinction of the franchise. But it was quite clear, that there might be instances in which a mitigated punishment would be desirable,—such as the disfranchisement of a portion of the electors, or the extension of the franchise over some adjoining district or town. This might be provided for by Bill. These details, involving so much of local detail and so little of principle, might be arranged by the enactments of a Bill; but how could they even be satisfactorily settled through the medium of Addresses to the Crown. His purpose, however, in calling the attention of the House to the measure in this stage, was to point out the necessity of having Committees appointed to investigate the allegations made against the purity of boroughs, constituted in such a manner, and named by such an authority, as should ensure to those Committees the confidence of the Legislature and of the country. He must observe, however, before he sat down, that the noble Lord admitted of an appeal. He thought appeals were generally taken advantage of by those who had a weak case. In every instance, either as related to election law, criminal law, or any other system or form of jurisprudence, the best plan was to institute, in the first instance, an effective tribunal without an appeal, rather than an inefficient tribunal with an appeal. All the money thrown into the pockets of country attorneys, connected with election matters, was worse than lost. He would advise the noble Lord, therefore, in the case of Election Committees, and in the case of complaints against the general conduct of particular boroughs, to constitute one tribunal as perfect as possible, and not to have two Committees, the one with an original jurisdiction, and the other to act as a court of review.

Lord *John Russell* was very happy to hear the suggestions of the right hon. Baronet, and he certainly would give them his best consideration. He was very glad that the Right hon. Baronet had turned his attention to the subject; and he was sure that not only the right hon. Baronet, but the House in general, would see how very necessary it was to have a better plan than at present, for conducting proceedings with respect to boroughs charged with general bribery and corruption. When he stated that he would attend to the suggestions of the right hon. Baronet, he did not know that he was, at that moment, prepared to agree with him. The Committees were now appointed to try a very important right,—namely, the right of Members to sit in the House; it was one in which it was of the highest importance that the utmost impartiality should be exhibited. The right hon. Baronet said, that, in his opinion, the Committee which he had proposed would not be a fit one to investigate questions of this nature. In this respect he must be allowed to differ from the right hon. Baronet; nor could he acquiesce in the suggestions, to intrust the nomination of this Committee to the Speaker, because he could not help thinking, that the effect of so doing would be to place the Speaker in a very invidious situation. In questions of this description, it appeared to him that a degree of heat was excited, as great, if not greater, than arose on questions of general policy; in such cases, two parties were very warmly and violently engaged in contesting the right of a particular county, or a particular borough; and, therefore, they would be the more disposed to view with jealousy the nomination of a Committee by the Speaker. party feeling and irritation hurried men a long way; and it was exceedingly probable that it might be said, that the nomination by the Speaker was not altogether a fair or impartial one, and that there was a little too much leaning on one side or on the other. The dignity and station of the Chair depended, in a great degree, on the reputation in which it was held; and it would be exceedingly dangerous to suffer its character to be called into question for a single moment. The right hon. Baronet would see, that this was not an objection to the particular Committee which he proposed, but a general objection to the consequences which might ensue from the adoption of his suggestion as to the mode of its nomination. With regard to the powers of the Committee generally, he had in the Bill, adopted the provisions of the Act of 7 George 4th, relative to Election Committees, on the ground that the powers of that Act were known. The power to examine witnesses on oath, and various other powers were given under that Act; and he deemed it advisable to adopt them because they increased the security of the proceeding, although, at the same time, he need hardly say, that the Committees, as at present formed, were very imperfect. A few years ago, the right hon. Baronet, impelled, he believed, by the general sense of the House, introduced a measure, founded on very correct principles, for the purpose of putting an end to the appointment of nominees, by which one great advantage was obtained. It appeared to him, however, that the effect of adopting this suggestion would be to leave Election Committees in a very uncertain and loose state for persons who had no experience in these matters. However well disposed and honest they might be, and however impartially they might form their opinions, they might, in the end, come to a conclusion different from that at which men of longer experience, and more mature judgment, would be disposed to arrive. Certainly, great improvements might be made in the constitution of Election Committees; and he had no doubt that the suggestions of the right hon. Baronet would be of great importance towards attaining so desirable an end. He might, perhaps, mention, that the idea had struck him, whether it might not be expedient to appoint an assessor to the Chairman, who would be enabled to pronounce an opinion on all points of practice—who would possess a knowledge of the different precedents—and by whose assistance the Committees would be made much better guides to the opinion of the House than at present. The right hon. Baronet wished to give the House the power of confirming the decision of the Committee. That point was set at rest by a provision in the Bill which gave the House the power of addressing the Crown. He could not say, that he was prepared to accede to the right hon. Baronet's suggestions relative to the nomination of the Committee; at the same time, he was prepared to say, that he would consider them, and that he would endeavour to render the Bill as practically beneficial in operation as possible; always having in view a still further amendment of the Grenville Acts, by which the tribunal might become such a tribunal as the right hon. Baronet had described,—a tribunal, which would inspire the House of Lords with the confident assurance, that the subject had been fully and carefully investigated.

Sir *Robert Inglis* merely wished to express a hope, that the decision of the Committees to be appointed under the Bill should be made decisive of the several matters referred to them, as he quite agreed with the right hon. Baronet in opinion with regard to the evil effects attendant upon the power of appeal. If they appointed any tribunal, it ought to be a competent one, intrusted with absolute power of decision. Of course, when he spoke in opposition to a tribunal of appeal, he did not mean to exclude the House of Commons from exercising its control over the Reports of its Committees.

Lord *Althorp* thought it would be quite enough to call upon a Committtee to report the facts proved in evidence before them, as well as their opinions upon those facts, without requiring them to pronounce a binding decision. The suggestions of the right hon. member for Tamworth were, he was free to admit, worthy of consideration, and, as far as he was concerned, he promised they should receive it. He did not agree in the form of nomination recommended by the right hon. Baronet; but, at the same time, he thought it might be possible, by taking that recommendation into consideration, so to nominate the Committees that, while the evil effects of selecting them by ballot were removed, the Speaker might not be placed in the invidious situation of having the entire nomination of them intrusted to his discretion.

Mr. *Tooke*, in rising to express his entire concurrence in the principle of the Bill, and his opinion that its machinery, subject to some modifications in detail, was well calculated to carry that principle into effect, begged he might be permitted, as germane to the matter, to save the time of a more formal application, to ask the noble Paymaster of the Forces whether it was his intention to bring in a Bill for amending the English Reform Act, in consequence of his pledge to that effect of last Session, and of Reports since received from the Revising Barristers? or whether he would appoint a Select Committee to consider those Reports?

Lord *Althorp* replied, that a measure of the description alluded to was under the consideration of Government, but, until it was ascertained how far the Reports of the defective working of the Bill were correct—and those Reports were in a train of investigation—he could not take upon himself to say, whether or not any measure on the subject would be introduced to Parliament during the present Session.

Mr. *Warburton* hoped, the noble Lord meant to lay before the House the result of the investigation to which he alluded, in order that they might be in a situation to judge how far and in what respects the Reform Bill had worked well, and in what instance it was defective.

Lord *Althorp* said, he could not undertake to do so, as the inquiry was not strictly of an official character. It was solely instituted for the satisfaction of the Government, with whom would, of course, be the responsibility of introducing the measure to which the question of the hon. Member referred.

Mr. *Baines* availed himself of the opportunity to state, that much difference of opinion prevailed as to whether one of the questions put to the voter applied to qualification of amount or residence. He also begged to suggest, that the practice of taking the list of the Revising Barrister as the standard by which the voters might regulate their qualification was attended with considerable difficulty and inconvenience.

Sir *Robert Peel* was anxious, once more, to impress upon the attention of the noble Lord the immense importance of having the Committees, by whose decisions, not merely the return of particular elections, but the general right of voting was to be affected, selected on some more fixed principle than that of a chance ballot. With regard to the noble Lord's apprehensions of placing the Speaker in an invidious position, by calling upon him to nominate the Committees, he must say, that he thought them altogether unfounded. He put it to the noble Lord, whether any man, a Member of that House, having a Committee to appoint, and meaning to act fairly, ever found a difficulty in selecting a competent and efficient Committee. In fact, he could not imagine any circumstances in which the nomination of the Speaker was likely to be questioned. The noble Lord had alluded to party feelings as likely to render the power he proposed intrusting to the Speaker unpleasant in its exercise to him; but, he put it to the noble Lord to say, whether it would not be better to run even that risk, than to leave the individuals who were ranged on each side the selection of the Committee by whom the question respecting which such party feeling was excited, should be decided?

The Bill was read a second time.

Dissenters' Marriages.] Lord *John Russell* brought in a Bill for the relief of the Dissenters, under the Marriage Act, &c.—

The Bill was read a first time.—

On moving that it be read a second time on the 28th of April, the noble Lord said, that he would not then enter into any details of the subject. He felt that much misrepresentation had gone abroad respecting the Bill, and that the nature of its provisions had not been well considered; but, though he felt this, he was not very sanguine that the measure itself would be acceptable to the great body of those for whose relief it was intended. He would now move that it be read a second time on the 28th of April, and that it be printed, and he put it off to that distant day, in order to give an opportunity to the body of Dissenters, for whom he had the highest respect, to make their objections. If those objections should be found very strong, he would not press the measure, though he did not see that he could make any material alterations in it; still, however, he would not press it, if the objections against it should be found insuperable by those for whose relief it was intended.

The Bill to be read a second time on the 28th of April, and to be printed.

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AND OF

FIRST VOL. OF SESS. 1834.

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TO

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FINIS.

T. C. Hansard,
32, Paternoster-Row.

Erratum.

The following List should have been inserted at page 1113.

IMPRESSMENT.

List of the Noes on Mr. Buckingham's Motion, on the 4th of March, 1834, “ That a Select Committee be appointed to take into consideration the practicability of devising some plan by which a regular and voluntary supply of Seamen may be procured for his Majesty's Navy, without recourse to the practice of forcible Impressment.

ENGLAND.

Althorp, Lord
Bankes, W. J.
Baring, F. T.
Benett, J.
Bentinck, Lord G. F.
Berkeley, Hon. G. C. F.
Berkeley, Hon. C. F.
Bernal, R.
Bethell, E. R.
Biddulph, R.
Blunt, Sir C. R.
Bolling, W.
Boss, J. G.
Bouverie, Hon. D. P.
Brocklehurst, J.
Bruce, Lord E.
Buller, J. W.
Buller, C.
Buller, E.
Bulteel, J. C.
Burdett, Sir F.
Burrell, Sir C.
Burton, H.
Calvert, N.
Carter, J. B.
Cavendish, Lord
Cayley, Sir G.
Cayley, E. S.
Chaplin, Colonel T.
Childers, J. W.
Clive, Hon. R. H.
Cockerell, Sir C.
Crawley, S.
Crawford, W.
Darlington, Earl of
Denison, J. E.
Divett, E.
Donkin, Sir R. S.
Duncannon, Viscount
Dundas, Capt. J. W.
Dundas, Hon. Sir R. L.
Ebrington, Viscount
Egerton, W. T.
Ellice, E.
Etwall, R.
Finch, G.
Fleetwood, P. H.
Foley, J. H. H.
Foley, E. T.
Fox, Colonel
Freemantle, Sir T.
Gaskell, J. M.
Gisborne, T.
Gordon, R.
Goring, H. D.
Graham, Sir J.
Grant, Right Hon. R.
Grey, Colonel
Grey, Sir G.
Gronow, Captain
Grosvenor, Right Hon. Lord R.
Handley, W. F.
Handley, H.
Hardinge, Sir H.
Heathcoat, J. J.
Heathcote, G. J.
Heneage, G. F.
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Lennox, Lord A.
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Lumley, Viscount
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Mangles, James
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Marshall, John
Martin, John
Maxfield, Captain
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Morpeth, Viscount
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Palmer, R.
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Stanley, E.
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Strickland, G.
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Willoughby, Sir H.
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Wood, C.
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Wynn, Rt. Hon. C. W.
Yorke, Captain C. P.

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Bruce, C.
Callander, J.
Dalmeny, Lord
Dunlop, Captain J.
Elliott, Hon. Capt. G.
Gordon, Hon. Capt. W.
Grant, Rt. Hon. C.
Hay, Colonel A.
Jeffrey, Right Hon. F.
Johnstone, J. J.
Loch, J.
Macleod, R.
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Ormelie, Earl of
Pringle, R.

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Browne, D.
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